A COLLECTION OF

So much of the STATUTES in force, as contain and enjoyn the taking of the several Oaths of SUPREMACY and ALLEGIANCE; by whom they are to be taken, who are authorised to administer them, and the penalties to be inflicted upon those that refuse the taking of them.

As also the STATUTES in force for uniformity of Prayer and Administration of Sacraments, and the punishment of persons obstinately refusing to come to Church, and the penalties for being present at Assemblies, Conventicles or Meetings for exercise of Religion: with Notes in the Margent, setting forth the effects thereof in brief.

Published by a well-wisher to Peace, for the information and satisfaction of those that are unacquainted with the said LAWS.

LONDON

Printed by *Robert White*, and are to be sold at his house in Warwick-Court, in Warwick-Lane, 1661.

Gt Brit. Laws, Collections III. Oaths of Supr.

To the Reader:

Courteous Reader,

AS the prudent Ship-maſter being to paſs between Rocks and Sands, takes to him a skilful Pilot, whereby he may paſs with ſafety and ſecurity, that he neither ſplit upon the rocks, nor ſink into the ſand; ſo here you have preſented to your view the Oaths of Supremacy and Allegiance; and ſo much of the ſeveral Statutes in force, as enjoyn the taking of the ſame: By whom they are to be taken; and who are authoriſed to adminſter them: And the ſeveral penalties which the Law inflicts upon refuſers; with the branch of the Statute of the 16th of King Richard the ſecond, which ſhews what Præmunire is, to which the refuſers of the ſaid Oaths are lyable: And the Admonition annexed to the Injunctions of the late Queen Elizabeth, ſet forth in the firſt year of her raign; in which ſenſe the Oath of Supremacy is to be taken by the Statute of 5o Elizabethæ, as therein is to be ſeen: And alſo the Statutes in force for uniformity of Prayer, and Adminiſtration of Sacraments; and the ſeveral puniſhments of perſons obſtinately refuſing to come

to Church; and for being presens at Assemblies, Conventicles or Meetings for exercise of Religion; in which said Statutes is contained the summe of all other Statutes in these cases. These all lying dispersed, and much of them unknown to many, I thought it might be beneficial to the publick, to gather them up together, and expose them to publick view, that all men may know what the Laws are in these cases. And thereby so far as may be, avoid the several penalties therein contained, or else suffer what the Law enjoyns if called unto it: The ground upon which the said Laws were made, which enjoyn the Oaths of Supremacy and Allegiance, were against Popish Recusants, and the Popes Supremacy; as by the preambles and contents of the said Statutes is to be seen. I do not take upon me to satisfie Conscience in these cases, it is God alone that must do that: But to let you see what tha tenour of the Laws is; which we ought to yield obedience to, either actively or passively. The honour of God, the credit of the Gospel, the peace of the Nation, and information and satisfaction to truly conscientious persons, is the only end I have in the publication hereof; and I shall think it a great happiness, if hereby I may be serviceable to any.

W. B.

Anno primo Reginę *Elizabethæ.*

CAP. I.

All antient Juriſdictions reſtored to the Crown. A repeal of divers Statutes, and reviver of others, and all forraign power aboliſhed.

MOſt humbly beſeech your moſt excellent Majeſty, your faithful and obedient Subjects, the Lords Spiritual and Temporall, and the Commons in this your preſent Parliament aſſembled, That where in time of the raign of your moſt dear Father of worthy memory, King *Henry* the eighth, divers good Laws and Statutes were made and eſtabliſhed, as well for the utter extinguiſhment and putting away of all uſurped and forraign powers and authorities out of this your Realm, and other your Highneſs Dominions and Countries, as alſo for the reſtoring and uniting to the Imperial Crown of this Realm, the antient juriſdictions, authorities, ſuperiorities, and preheminences to the ſame of right belonging, and appertaining, by reaſon whereof, we your moſt humble and obedient Subjects, from the five and twentieth

Great exactions were taken by forraign power before the xxv. year of K. H.8. of the Inhabitants of this Realm.

year of the raign of your ſaid dear Father, were continually kept in good order, and were disburdened of divers great and intollerable charges and exactions, before that time unlawfully taken, and exacted by ſuch forraign power and authority, as before that was uſurped, until ſuch time as all the ſaid good Laws and Statutes by one Act of Parliament, made in the firſt and ſecond years of the raigns of the late K. *Philip* and Q. *Mary*, your Highneſs ſiſter, entituled, An Act repealing all Statutes, Articles, and Proviſions made againſt the See Apoſtolick of *Rome*, ſince the twentieth year of King *Henry* the eighth, and alſo for the eſtabliſhment of all Spiritual and Eccleſiaſtical poſſeſſions and hereditaments conveyed to the Laity, were all clearly repealed and made void, as by the ſame Act of repeal more at large doth and may appear. By reaſon of which Act of repeal, your ſaid humble ſubjects were eſtſoons brought under an uſurped forraign power and authority, and yet do remain in that bondage, to the intollerable charges of your loving ſubjects, if ſome redreſs (by authority of this your high Court of Parliament, with the aſſent of your Highneſs) be not had and provided.

1. & 2. P. & M. 8.

May it therefore pleaſe your Highneſs, for the repreſſing of the ſaid uſurped forraign power, and the reſtoring of the Rites, Juriſdictions and Preheminencies appertaining to the Imperial Crown of this your Realm, that it may be enacted by authority of this preſent Parliament, That the ſaid Act made in the ſaid firſt and ſecond years of the raigns of the ſaid late King *Philip* and Queen *Mary*, and all and every branches, clauſes and articles therein contained (other than ſuch branches, clauſes and ſentences, as hereafter ſhall be excepted) may from the laſt day of this Seſſion of Parliament, by authority of this preſent Parliament, be repealed, and ſhall from thenceforth be utterly void and of none effect.

A repeal of the Statute of the 1. & 2. P. & M. 8.

And to the intent that all uſurped and forraign power

power and authority, Spiritual and Temporal, may for ever be clearly extinguiſhed, and never to be uſed or obeyed within this Realm, or any other your Majeſties Dominions or Countries: May it pleaſe your Highneſs, that it may be further enacted by the authority aforeſaid, That no forraign Prince, Perſon, Prelate, State or Potentate, Spiritual or Temporal, ſhall at any time after the laſt day of this Seſſion of Parliament, uſe, enjoy, or exerciſe any manner of power, juriſdiction, ſuperiority, authority, preheminence or priviledge, Spiritual or Eccleſiaſtical within this Realm, or within any other your Majeſties Dominions or Countries that now be, or hereafter ſhall be, but from thenceforth the ſame ſhall be clearly aboliſhed out of this Realm, and all other your Highneſs dominions for ever: any Statute, Ordinance, Cuſtom, Conſtitutions, or any other matter or cauſe whatſoever to the contrary in any wiſe notwithſtanding. The aboliſhing of forraign authority.

And that alſo it may likewiſe pleaſe your Highneſs, that it may be eſtabliſhed and enacted by the authority aforeſaid, that ſuch juriſdictions, priviledges, ſuperiorities, and preheminencies Spiritual and Eccleſiaſtical, as by any Spiritual or Eccleſiaſtical power or authority, hath heretofore been, or may lawfully be exerciſed or uſed, for the viſitation of the Eccleſiaſtical ſtate and perſons, and for reformation, order, and correction of the ſame, and of all manner errours, hereſies, ſchiſms, abuſes, offences, contempts and enormities, ſhall for ever by authority of this preſent Parliament, be united and annexed to the Imperial Crown of this Realm. *Co. pla. fo.* 465,487

And for the better obſervation and maintenance of this **Act**, may it pleaſe your Highneſs that it may be further enacted by the authority aforeſaid, that all and every Archbiſhop, Biſhop, and all and every other Eccleſiaſtical perſon, and other Eccleſiaſtical officer and miniſter, of what eſtate, dignity, preheminence, or degree ſoever he or they be, or ſhall be, and all and every Who are compellable to take the Oath. Eccleſiaſtical perſons and officers.

Judge. Justice. Maior. Temporal Officer. He that hath the Queens fee.

temporal Judge, Justice, Maior, and other Lay or Temporal officer and minister, and every other person having your Highness fees or wages, within this Realm, or any your Highness Dominions, shall make, take, and receive a corporal Oath upon the Evangelist, before such person or persons as shall please your Highness, your heirs or successors, under the great Seal of *England*, to assign and name, to accept and take the same according to the tenour and effect hereafter following: that is to say,

The Oath for the Queens supremacy. 5. *Eliz.* 1.

I A. B. *do utterly testifie and declare in my conscience, that the Queens Highness is the only Supream Governor of this Realm, and of all other her Highness Dominions and Countries, aswell in all Spiritual or Ecclesiasticall things or causes, as Temporal, and that no forraign Prince, Person, Prelate, State, or Potentate, hath or ought to have any jurisdiction, power, superiority, preheminence, or authority, Ecclesiastical or Spiritual, within this Realm, and therefore I do utterly renounce and forsake all forraign jurisdictions, powers, superiorities, and authorities, and do promise that from henceforth I shall bear faith and true Allegiance to the Queens Highness, her heirs and lawful successors, and to my power shall assist and defend all jurisdictions, priviledges, preheminencies and authorities, granted or belonging to the Queens Highness, her heirs and successors, or united and annexed to the Imperial Crown of this Realm. So help me God, and by the contents of this Book.*

The penalty for refusing the Oath.

And that it may also be enacted, that if any such Archbishop, Bishop, or other Ecclesiastical Officer or Minister, or any of the said temporal Judges, Justiciaries, or other Lay Officer or Minister shall peremptorily or obstinately refuse to take or receive the said Oath, that then he so refusing, shall forfeit and lose only during his life, all and every Ecclesiastical and Spiritual promotion, benefice and office, and every Temporall and Lay promotion and office, which he hath solely at the time of such refusal made: and that the whole title,

title, intereſt and incumbency, in every ſuch promotion, benefice and other office, as againſt ſuch perſon only ſo refuſing, during his life, ſhall clearly ceaſe, and be void, as though the party ſo refuſing were dead.

And that alſo all and every ſuch perſon and perſons ſo refuſing to take the ſaid Oath, ſhall immediately after ſuch refuſal, be from thenceforth during his life, diſabled to retain or exerciſe any office or other promotion, which he at the time of ſuch refuſal hath joyntly, or in common with any other perſon or perſons.

And that all and every perſon and perſons, that at any time hereafter ſhall be preferred, promoted or collated to any Archbiſhoprick or Biſhoprick, or to any other Spiritual or Eccleſiaſtical benefice, promotion, dignity, or office, or miniſtry, or that ſhall be by your Highneſs, your heirs or ſucceſſors, preferred or promoted to any Temporal or Lay office, miniſtry or ſervice within this Realm, or in any your Highneſs Dominions, before he or they ſhall take upon him or them to receive, uſe, exerciſe, ſupply or occupy any ſuch Archbiſhoprick, Biſhoprick, promotion, dignity, office, miniſtry or ſervice, ſhall likewiſe make, take, and receive the ſaid corporal Oath before mentioned, upon the Evangeliſt, before ſuch perſons as have or ſhall have authority to admit any ſuch perſon to any ſuch office, miniſtry or ſervice, or elſe before ſuch perſon or perſons, as by your Highneſs, your heirs or ſucceſſors, by Commiſſion under the great Seal of *England*, ſhall be named, aſſigned, or appointed to miniſter the ſaid Oath.

And that it may likewiſe be further enacted by the authority aforeſaid, that if any ſuch perſon or perſons, as at any time hereafter ſhall be promoted, preferred or collated to any ſuch promotion Spiritual, or Eccleſiaſticall benefice, office or miniſtry, or that by your Highneſs, your heirs or ſucceſſors, ſhall be promoted or preferred to any Temporal or Lay office, miniſtry or

ſervice, ſhall and do peremptorily and obſtinately refuſe to take the ſame Oath ſo to him to be offered, that then he or they ſo refuſing, ſhall preſently be judged diſabled in the Law, to receive, take, or have the ſame promotion Spiritual or Eccleſiaſtical, or the ſame Temporal office, miniſtry or ſervice within this Realm, or any other your Highneſs Dominions, to all intents, conſtructions and purpoſes.

He that ſueth Livery, or *Ouſtre le maine*.

And that it may be further enacted by the authority aforeſaid, that all and every perſon and perſons Temporal, ſuing Livery, or *Ouſtre le maine*, out of the hands of your Highneſs, your heirs or ſucceſſors, before his or their Livery, or *Ouſtre le maine*, ſued forth and allowed: And every Temporal perſon or perſons doing any homage to your Highneſs, your heirs or ſucceſſors, or that ſhall be received into ſervice with your Highneſs, your heirs or ſucceſſors, ſhall make, take, and receive the ſaid corporal Oath before mentioned, before the Lord Chancellor of *England*, or the Lord Keeper of the great Seal for the time being, or before ſuch perſon or perſons, as by your Highneſs, your heirs or ſucceſſors ſhall be named and appointed to accept or receive the ſame.

He that doth homage to the Queen.

He that ſhall be received into the Queens ſervice.

He that taketh Orders.

He that taketh degrees in any Univerſity.

And that alſo all and every perſon and perſons taking Orders, and all and every other perſon and perſons, which ſhall be promoted or preferred to any degree of learning, in any Univerſity within this your Realm or Dominions, before he ſhall receive or take any ſuch Orders, or be preferred to any ſuch degree of learning, ſhall make, take, and receive the ſaid Oath by this Act ſet forth and declared, as is aforeſaid, before his or their Ordinary, Commiſſary, Chancellor, or Vice-Chancellor, or their ſufficient Deputies in the ſaid Univerſity.

He that hath eſtate of inheritance in a temporal office, firſt refuſeth, and then taketh the Oath.

Provided alwayes, and that it may be further enacted by the authority aforeſaid, that if any perſon having any eſtate of inheritance, in any Temporal Office or Offices, ſhall hereafter obſtinately and perem-

peremptorily refuſe to accept and take the ſaid Oath, as is aforeſaid, and after at any time during his life, ſhall willingly require to take and receive the ſaid Oath, and ſo do take and accept the ſame Oath before any perſon or perſons, that ſhall have lawful authority to miniſter the ſame; That then every ſuch perſon immediately after he hath ſo received the ſame Oath, ſhall be veſted, judged and deemed in like eſtate and poſſeſſion of the ſaid office, as he was before the ſaid refuſal, and ſhall and may uſe and exerciſe the ſaid office, in ſuch manner and form as he ſhould or might have done before ſuch refuſal; any thing in this Act contained to the contrary in any wiſe notwithſtanding.

Anno quinto Reginę *Elizabethæ.*

CAP. I.

Aſſurance of the Queens power over all eſtates.

FOr preſervation of the Queens moſt excellent Highneſs, her Heirs and Succeſſors, and the dignity of the Imperial Crown of this Realm of *England*, and for avoiding both of ſuch hurts, perils, diſhonours, and inconveniences, as have before time befaln, as well to the Queens Majeſties noble Progenitors, Kings of this Realm, as for the whole eſtate thereof, by means of the juriſdiction and power of the See of *Rome*, unjuſtly claimed and uſurped within this Realm, and the Dominions thereof, and alſo of the dangers by the fautors of the ſaid uſurped power, at this time grown to marvellous outrage, and licentious boldneſs, and now requiring more ſharp reſtraint and correction of Laws, then hitherto in the time of the Queens Majeſties moſt mild and merciful raign have been had, uſed, or eſtabliſhed.

Be

Be it therefore enacted, ordained and eſtabliſhed by the Queen our Soveraign Lady, and the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by authority of the ſame, That if any perſon or perſons, dwelling, inhabiting, or reſiant within this Realm, or within any other the Queens Dominions, Seigniories, or Countries, or in the Marches of the ſame, or elſewhere, within or under her obeyſance and power, of what eſtate, dignity, preheminence, order, or condition ſoever he or they be, after the firſt day of *April*, which ſhall be in the year of our Lord God one thouſand five hundred ſixty three, ſhall by Writing, Cyphering, Printing, Preaching or Teaching, deed or act, adviſedly and wittingly, hold or ſtand with, to extoll, ſet forth, maintain, or defend the authority, juriſdiction, or power of the Biſhop of *Rome*, or of his See, heretofore claimed, uſed, or uſurped, within this Realm, or in any Dominion or Countrey, being of, within, or under the Queens power or obeyſance, or by any ſpeech, open deed or act, adviſedly and wittingly attribute any ſuch manner of juriſdiction, authority, or preheminence to the ſaid See of *Rome*, or to any Biſhop of the ſame See for the time being within this Realm, or in any the Queens Dominions or Countries: That then every ſuch perſon or perſons ſo doing or offending, their abettors, procurors and counſellors, & alſo their aiders, aſſiſtants, and comforters, upon purpoſe, and to the intent to ſet forth, further, and extoll the ſaid uſurped power, authority or juriſdiction of any of the ſaid Biſhop or Biſhops of *Rome*, and every of them, being thereof lawfully indicted or preſented within one year next after any ſuch offences by him or them committed, and being lawfully convicted or attainted at any time after, according to the Laws of this Realm, for every ſuch default and offence, ſhall incurre into the dangers, penalties, pains and forfeitures, ordained and provided by the Statute of Proviſion and *Præmunire*, made in the ſixteenth

The penalty for maintaining the authority of the Biſhop or See of *Rome*. *St.* 28. *H.* 8. 10. 13. *El.* 2.

16. *R.* 2.

ſixteenth year of the raign of King *Richard* the ſecond.

And moreover, be it enacted by the authority aforeſaid, That as well all manner of perſons, expreſſed and appointed in and by the Act made in the firſt year of the Queens Majeſties raign that now is, entituled, An Act reſtoring to the Crown the antient juriſdiction over the eſtate Eccleſiaſtical and Spiritual, and aboliſhing all forraign powers repugnant to the ſame, to take the Oath expreſſed and ſet forth in the ſame: as all other perſons which have taken, or ſhall take Orders, commonly called *Ordines Sacros*, or Eccleſiaſtical Orders, have been, or ſhall be promoted, preferred or admitted to any degree of learning in any Univerſity within this Realm or Dominions to the ſame belonging: And all School-maſters, and publick and private teachers of children; as alſo all manner of perſon and perſons that have taken, or hereafter ſhall take any degree of learning in or at the Common Laws of this Realm, as well Utter Barreſters as Benchers, Readers, Antients in any houſe or houſes of Court, and all Principal Treaſurers, and ſuch as be of the grand company of every Inne of Chancery, and all Atturneys, Protonotaries, and Philizers towards the Laws of this Realm, and all manner of Sheriffs, Eſcheators, and Feodaries, and all other perſon and perſons, which have taken, or ſhall take upon him or them, or have been or ſhall be admitted to any Miniſtry or Office, in, at, or belonging to the Common Law, or any other Law or Laws, of, to, or for the execution of them, or any of them, uſed or allowed, or at any time hereafter to be uſed or allowed within this Realm, or any of the Dominions or Countries belonging, or which hereafter ſhall hap to belong to the Crown or Dignity of the ſame, and all other Officers or Miniſters, of, or towards any Court whatſoever, and every of them, ſhall take and pronounce a corporal Oath upon the Evangeliſts, before he or they ſhall be admitted, allowed, or

These ſhall take the Oath ſet forth *An.* 1. *El.* 1.

Takers of Eccleſiaſtical Orders.
Degrees in the Univerſity.
Schoolmaſters.
Utter Barreſters.
Benchers.
Readers.
Ancients.
Protonotaries.
Atturneyes.
Philizers.
Sheriffs.
Eſcheators.
Feodaries.
Officer at the Common Law.
Officer of any Court.

ſuffered to take upon him or them to uſe, exerciſe, ſupply, or occupy any ſuch vocation, office, degree, miniſtry, room, or ſervice, as is aforeſaid, and that in the open Court, whereunto he doth or ſhall ſerve or belong. And if he or they do not or ſhall not ſerve or belong to any ordinary or open Court, then he or they ſhall take and pronounce the Oath aforeſaid, in an open place, before a convenient aſſembly, to witneſs the ſame, and before ſuch perſon or perſons as have or ſhall have authority by common uſe, or otherwiſe, to admit or call any ſuch perſon or perſons, as is aforeſaid, to any ſuch vocation, office, miniſtry, room, or ſervice, or elſe before ſuch perſon or perſons, as by the Queens Highneſs, her Heirs or Succeſſors, by Commiſſion under the great Seal of *England* ſhall be named or aſſigned, to accept and take the ſame according to the tenour, effect, and form of the ſame Oath *verbatim*, which is, and as it is already ſet forth to be taken in the foreſaid Act, made in the firſt year of the Queens Majeſties raign.

The Biſhop may tender the Oath to any Spiritual perſon.

And alſo be it enacted by the authority of this preſent Parliament, that every Archbiſhop and Biſhop, within this Realm and Dominions of the ſame, ſhall have full power and authority by vertue of this Act, to tender or miniſter the Oath aforeſaid, to every or any Spiritual or Eccleſiaſtical perſon within their proper Dioceſs, as well in places and juriſdictions exempt, as elſewhere.

The Lord Chancellor may direct Commiſſion to take the Oath of any perſon.

And be it enacted by the authority aforeſaid, that the Lord Chancellor or Keeper of the great Seal of *England* for the time being, ſhall and may at all times hereafter by vertue of this Act, without further Warrant, make and direct Commiſſion or Commiſſions under the great Seal of *England*, to any perſon or perſons, giving them, or ſome of them thereby authority to tender and miniſter the Oath aforeſaid to ſuch perſon or perſons, as by the aforeſaid Commiſſion or Commiſſions the ſaid Commiſſioners ſhall be authoriſed to tender the ſame Oath unto.

And

And be it also further enacted by the authority of this present Parliament, that if any person or persons appointed or compellable by this Act, or by the said Act made in the said first year to take the said Oath: or if any person or persons to whom the said Oath by any such Commission or Commissions shall be limited and appointed to be tendred, as is aforesaid, do or shall at the time of the said Oath so tendred, refuse to take or pronounce the said Oath, in manner and form aforesaid, that then the party so refusing, and being thereof lawfully indicted or presented, within one year next after any such refusal, and convicted or attainted at any time after, according to the Laws of this Realm, shall suffer and incurre the dangers, penalties, pains and forfeitures, ordained and provided by the Statute of Provision and *Præmunire* aforesaid, made in the xvi. year of the raign of King *Richard* the second. The penalty for the first refusal of the Oath.

And furthermore, be it enacted by the authority aforesaid, that all and every such person and persons, having authority to tender the Oath aforesaid, shall within forty dayes next after such refusal or refusals of the said Oath, if the Term be then open, and if not, then at the first day of the full Term next following the said forty dayes, make true certificate under his or their seal or seals, of the names, places and degrees of the person or persons so refusing the same Oath before the Queen, her Heirs or Successors, in her or their Court commonly called the Kings Bench, upon pain that every of the said persons, having such authority to tender the said Oath, making default of such certificate, shall for every such default forfeit an hundred pound to the Queens Highness, her Heirs or Successors. And that the Sheriff of the county, where the said Court commonly called the Kings Bench shall for the time be holden, shall or may by vertue of this Act, impannel a Jury of the same County, to enquire of and upon every such refusal and refusals: Which Jury shall or may upon every such certificate, and other evidence to them

Certificate of refusal into the Kings Bench. Indictment of the offendor.

Indictment of the offendor.

them in that behalf to be given, by vertue of this Act proceed to indict the perſon and perſons ſo offending, in ſuch ſort and degree, to all intents and purpoſes, as the ſame Jury may do of any offence or offences againſt the Queens Majeſties peace, perpetrated, commit-ed, or done, within the ſame County, of and for the which the ſame Jury is ſo impanelled.

It ſhall be treaſon the ſecond time to maintain the authority of the Biſhop or See of *Rome*, or to refuſe the Oath.

And for ſtronger defence and maintenance of this Act, it is further ordained, enacted and eſtabliſhed by the authority aforeſaid, that if any ſuch offendor or offendors, as is aforeſaid, of the firſt part or branch of this Eſtatute, that is to ſay, by Writing, Cyphering, Printing, Preaching or Teaching, Deed or Act, adviſedly and wittingly, hold or ſtand with, to extoll, ſet forth, maintain, or defend the Authority, Juriſdiction, or Power of the Biſhop of *Rome*, or of his See, heretofore claimed, uſed, or uſurped within this Realm, or in any Dominion or Countrey, being of, within or under the Queens power or obeyſance: Or by any ſpeech, open deed or act, adviſedly and wittingly attribute any ſuch manner of juriſdiction, authority, or prehemineence to the ſaid See of *Rome*, or to any Biſhop of the ſame See for the time being, within this Realm, or in any the Queens Dominions or Countries, or be to any ſuch offendor or offendors abbetting, procuring, or counſelling, or aiding, aſſiſting or comforting, upon purpoſe, and to the intent to ſet forth, further and extoll the ſaid uſurped power, authority or juriſdiction, After ſuch conviction and attainder, as is aforeſaid, do eftſoons commit or do the ſaid offences, or any of them, in manner and form aforeſaid, and be thereof duly convicted and attainted, as is aforeſaid.

And alſo that if any the perſons above-named and appointed by this Act to take the Oath aforeſaid, do after the ſpace of three Moneths next after the firſt tendour thereof, the ſecond time refuſe to take and pronounce, or do not take or pronounce the ſame, in form aforeſaid to be tendred: That then every ſuch offendor

offendor or offendors, for the ſame ſecond offence and offences, ſhall forfeit, loſe, and ſuffer ſuch like and the ſame pains, forfeitures, judgement and execution, as is uſed in caſes of high treaſon.

Provided alwayes, that this Act nor any thing therein contained, nor any attaindour to be had by force and vertue of this Act, ſhall not extend to make any corruption of blood, the diſheriting of any heir, forfeiture of dower, nor to the prejudice of the right or title of any perſon or perſons, other than the right or title of the offendor or offendors during his, her or their natural lives only.

No corruption of blood or forfeiture of Dower for any attaindor by this Act.

And that it ſhall and may be lawful to every perſon and perſons, to whom the right or intereſt of any Lands, Tenements, or Hereditaments, after the death of any ſuch offendor or offendors, ſhould or might have appertained, if no ſuch attainder had been, to enter into the ſame, without any *Ouſter le maine* to be ſued, in ſuch ſort as he or they might have done, if this Act had never been had ne made.

Provided alſo, that the Oath expreſſed in the ſaid Act, made in the ſaid firſt year, ſhall be taken and expounded in ſuch form as is ſet forth in an Admonition annexed to the Queens Majeſties Injunctions, publiſhed in the firſt year of her Majeſties raign: That is to ſay, to confeſs and acknowledge in her Majeſty, her Heirs and Succeſſors, none other authority than that was challenged and lately uſed by the noble King *Henry* the eighth, and King *Edward* the ſixth, as in the ſaid Admonition more plainly may appear.

How the Oath expreſſed *Anno* 1. *El.* 1. ſhall be expounded.

And be it enacted by the authority aforeſaid, that this Act ſhall be openly read and publiſhed, and declared at every Quarter Seſſions by the Clerk of the Peace, and at every Leet and Law-day by the Steward of the Court, and once in every Term in the open Hall of every houſe and houſes of Court and Chancery, at the times, and by the perſons thereunto to be limited and appointed by the Lord Chancellor or Keeper of the great Seal for the time being.

In what Courts and places this Act ſhall be publiſhed.

And

Every Knight, Citizen, and Burgeſs of the Parliament ſhall take the ſaid Oath.

And be it further enacted, that every perſon which hereafter ſhall be elected or appointed a Knight, Citizen, or Burgeſs, or Baron, for any of the five Ports, for any Parliament or Parliaments hereafter to be holden: Shall from henceforth, before he ſhall enter into the Parliament houſe, or have any voice there, openly receive and pronounce the ſaid Oath before the Lord Steward for the time being, or his Deputy or Deputies for that time to be appointed. And that he which ſhall enter into the Parliament houſe without taking the ſaid Oath, ſhall be deemed no Knight, Citizen, Burgeſs, nor Baron for that Parliament, nor ſhall have any voice: but ſhall be to all intents, conſtructions and purpoſes, as if he had never been returned nor elected Knight, Citizen, Burgeſs, or Baron for that Parliament, and ſhall ſuffer ſuch pains and penalties, as if he had preſumed to ſit in the ſame without election, return, or authority.

None of or above the degree of a Baron ſhall be compelled to take the ſaid Oath.

Provided alway, that foraſmuch as the Queens Majeſty is otherwiſe ſufficiently aſſured of the Faith and loyaltie of the Temporal Lords of her high Court of Parliament: Therefore this Act nor any thing therein contained, ſhall not extend to compell any Temporal perſon, of or above the degree of a Baron of this Realm, to take or pronounce the Oath aboveſaid, nor to incurre any penalty limited by this Act, for not taking, or refuſing the ſame: any thing in this Act to the contrary in any wiſe notwithſtanding.

Charitable giving of almes to offendors, ſhall be no cauſe of forfeiture.

Provided, and be it enacted by the authority aforeſaid, that charitable giving of reaſonable almes to any of the offendor or offendors above ſpecified, without fraud or covin, ſhall not be taken or interpreted to be any ſuch abetment, procuring, counſelling, ayding, aſſiſting, or comforting, as thereby the giver of ſuch almes ſhall incurre any pain, penalty, or forfeiture appointed in this Act.

Peers offending ſhall be tried by their Peers.

Provided alſo, and be it enacted by the authority of this preſent Parliament, that if any Peer of this Realm

ſhall

ſhall hereafter offend contrary to this Act, or any branch of Article thereof, that, in that and all ſuch caſe and caſes they ſhall be tried by their Peers, in ſuch manner and form as in other caſes of Treaſons they have uſed to be tried, and by none other means.

Provided alſo further, and be it enacted, that no perſon ſhall be compelled by vertue of this Act to take the Oath above mentioned, at or upon the ſecond time of offering the ſame, according to the form appointed by this Statute, except the ſame perſon hath been, is, or ſhall be an Eccleſiaſtical perſon, that had, hath, or ſhall have, in the time of one of the raigns of the Queens Majeſties moſt noble Father, Brother or Siſter, or in the time of the raign of the Queens Majeſty, her Heirs or Succeſſors, charge, cure, or office in the Church: Or ſuch perſon or perſons as had, hath, or hereafter ſhall have any office or miniſtry in any Eccleſiaſtical Court of this Realm, under any Archbiſhop or Biſhop, in any the times or raigns aforeſaid: Or ſuch perſon or perſons as ſhall wilfully refuſe to obſerve the orders and rites for divine Service, that be authoriſed to be uſed and obſerved in the Church of *England*, after that he or they ſhall be publickly by the Ordinary or ſome of his Officers for Eccleſiaſtical cauſes admoniſhed to keep and obſerve the ſame: Or ſuch as ſhall openly and adviſedly deprave by words, writings, or any other open fact, any of the Rites and Ceremonies at any time uſed, and authoriſed to be uſed in the Church of *England*: Or that ſhall ſay or hear the private Maſs prohibited by the Laws of this Realm, and that all ſuch perſons ſhall be compellable to take the Oath upon the ſecond tender or offer of the ſame, and incurre the penalties for not taking of the ſaid Oath, and none other.

Who only ſhall be compelled to take the Oath upon the ſecond tender.

And foraſmuch as it is doubtful, whether by the Laws of this Realm there be any puniſhment for ſuch as kill or ſlay any perſon or perſons attainted in or upon a *Præmunire*: Be it therefore enacted by authority aforeſaid, that it ſhall not be lawful to any perſon or perſons

It is not lawfull to ſlay one attainted in *Præmunire*.

persons to slay or kill any person or persons in any manner attainted, or hereafter to be attainted, of, in, or upon any *Præmunire*, by pretence, reason, or authority of any judgement given, or hereafter to be given in or upon the same, or by pretence, reason, or force of any word or words, thing or things contained or specified in any Statute or Law of Provision and *Præmunire*, or in any of them: Any Law, or Statute, or opinion, or exposition of any Law or Statute, to the contrary in any wise notwithstanding.

The Admonition annexed to the Queens Injunctions.

THe Queens Majesty being informed, that in certain places of this Realm, sundry of her native Subjects, being called to Ecclesiastical ministry in the Church, be by sinister perswasion, and prverse construction induced to find some scruple in the form of an Oath which by an Act of the last Parliament is preseribed to be required of divers persons, for the recognition of their Allegiance to her Majesty, which certainly neither was ever meant, ne by any equity of words or good sense, can be thereof gathered: Would that all her loving subjects should understand, that nothing was, is, or shall be meant or intended by the same Oath, to have any other duty, allegiance, or bond required by the same Oath, then was acknowledged to be due to the most noble Kings of famous memory, King Henry *the eighth, Her Majesties Father, or King* Edward *the sixth, Her Majesties Brother.*

And further Her Majesty forbiddeth all manner Her subjects to give ear or credit to such perverse and malicious persons, which most sinisterly and maliciously labour to notifie to her loving subjects, how by the words of the said Oath, it may be collected, the Kings or Queens of this Realm, possessors of the Crown, may challenge authority and

and power of miniſtry of divine offices in the Church, wherein Her ſaid Subjects be much abuſed by ſuch evil diſpoſed perſons. For certainly Her Majeſty neither doth, ne ever will challenge any other authority, then that was challenged and lately uſed by the ſaid noble Kings of famous memory, King Henry *the eighth, and King* Edward *the ſixth, which is and was of ancient time due to the Imperial Crown of this Realm. That is under God, to have the Soveraignty and rule over all manner perſons born within theſe her Realms, Dominions, and Countries, of what eſtate, either Eccleſiaſtical or Temporal ſoever they be, ſo as no other forraign power ſhall or ought to have any ſuperiority over them. And if any perſon that hath conceived any other ſence of the form of the ſaid Oath, ſhall accept the ſame Oath with this interpretation, ſence, or meaning, Her Majeſty is well pleaſed to accept every ſuch in that behalf, as her good and obedient Subjects, and ſhall acquit them of all manner penalties contained in the ſaid Act againſt ſuch as ſhall peremptorily, or obſtinately refuſe to take the ſame Oath.*

Anno tertio Jacobi Regis.

Cap. IV.

An Act for the diſcovering and repreſſing of Popiſh Recuſants.

FOraſmuch as it is found by daily experience, that many his Majeſties Subjects, that adhere in their hearts to the Popiſh Religion, by the infection drawn from thence, and by the wicked and deviliſh counſel of Jeſuites, Seminaries, and other like perſons dangerous to the Church and State, are ſo far perverted in the point of their loyalties and due allegeance unto the Kings Majeſty, and the Crown of *England*, as they are ready to entertain and execute any treaſonable con-

ſpiracies and practices, as evidently appears by that more then barbarous and horrible attempt to have blown up with Gun-powder the King, Queen, Prince, Lords and Commons in the Houſe of Parliament aſſembled, tending to the utter ſubverſion of the whole State, lately undertaken by the inſtigation of Jeſuits and Seminaries, and in advancement of their Religion by their Schollers, taught and inſtructed by them to that purpoſe; which attempt by the only goodneſs of Almighty God was diſcovered and defeated: and where divers perſons Popiſhly affected, do nevertheleſs, the better to cover and hide their falſe hearts, and with the more ſafety to attend the opportunity to execute their miſchievous deſigns, repair ſometimes to Church to eſcape the penalty of the Laws in that behalf provided.

Some popiſhly affected do repair to the Church.

For the better diſcovery therefore of ſuch perſons, and their evil affections to the Kings Majeſty, and the State of this his Realm, to the end that being known, their evil purpoſe may be the better prevented, Be it enacted by the Kings moſt excellent Majeſty, the Lords Spiritual and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authority of the ſame, That every Popiſh Recuſant convicted, or hereafter to be convicted, which heretofore hath conformed him or her ſelf, or which ſhall hereafter conform him or her ſelf, and repair to the Church, and continue there during the time of divine Service, according to the Laws and Statutes in that behalf made and provided, ſhall within the firſt year next after the end of this Seſſion of Parliament (if he or ſhe be conformed as aforeſaid, before the end of this Seſſion of Parliament) or within the firſt year next after that he or ſhe ſhall after this Seſſion of Parliament ſo conform him or her ſelf, and repair to Church, as aforeſaid, and after the ſaid firſt year ſhall once in every year following at the leaſt receive the bleſſed Sacrament of the Lords Supper, in the Church of that Pariſh where he or ſhe ſhall moſt

uſually

uſually abide, or be within the ſaid year, wherein by the true meaning of this Statute, he or ſhe ought ſo to receive.

The forfeit. of a conformed recuſant, which doth not receive the Sacrament of the Lords Supper yearly.

And if there be no ſuch Pariſh Church, then in the Church next adjoyning to the place of his or her ſuch moſt uſual abode. And if any Recuſant ſo conformed, ſhall not receive the ſaid Sacrament of the Lords Supper accordingly, he or ſhe ſhall for ſuch not receiving, loſe and forfeit for the firſt year twenty pounds, and for the ſecond year for ſuch not receiving, forty pounds, and for every year after for ſuch not receiving, threeſcore pounds, untill he or ſhe ſhall have received the ſaid Sacrament as is aforeſaid. And if after he or ſhe ſhall have received the ſaid Sacrament as is aforeſaid, and after ſhall eftſoons at any time offend in not receiving the ſaid Sacrament as is aforeſaid, by the ſpace of one whole year, that in every ſuch caſe the perſon ſo offending, ſhall for every ſuch offence loſe and forfeit threeſcore pounds of lawful Engliſh money, the one moity to be to our Soveraign Lord the Kings Majeſty, his Heirs and Succeſſors, and the other moity to him that will ſue for the ſame, and to be recovered in any of the Kings Courts of Record at *Weſtminſter*, or before Juſtices of Aſſize, or general Gaol delivery, or before Juſtices of the Peace at their general quarter Seſſions, by action of debt, bill, plaint, or information, wherein no eſſoyn, protection, or wager of Law ſhall be allowed.

Who are compellable to take the Oath.

And for the better tryal how his Majeſties Subjects ſtand affected in point of their loyalty and due obedience, Be it alſo enacted by the authority aforeſaid, That from and after the end of this preſent Seſſion of Parliament, it ſhall be lawful to and for any Biſhop in his Dioceſs, or any two Juſtices of Peace, whereof one of them to be of the *Quorum*, within the limits of their juriſdiction out of the Seſſions, to require any perſon of the age of eighteen years or above, being, or which ſhall be convict or indicted of or for any Recuſancy,

other then Noble men, or Noble women, for not repairing to divine Service according to the Laws of this Realm, or which ſhall not have received the ſaid Sacrament twice within the year then next paſt, Noble men, and Noble women excepted, or any perſon paſſing in or through the County, Shire or Liberty, and unknown, except as is laſt before excepted, that being examined by them upon Oath ſhall confeſs, or not deny himſelf or herſelf to be a Recuſant, or ſhall confeſs or not deny that he or ſhe had not received the ſaid Sacrament twice within the year then laſt paſt, to take the Oath hereafter following upon the holy Evangeliſt: Which ſaid Biſhop, or two Juſtices of the Peace, ſhall certifie in writing ſubſcribed with his or their hands at the next general or quarter Seſſions for that Shire, Limit, Diviſion, or Liberty, within which the ſaid Oath ſhall be ſo taken, the Chriſten-name, Surname, and place of abode of every perſon, which ſhall ſo take the ſaid Oath, which Certificate ſhall be there recorded by the Clark of the Peace, or Town-Clark, and kept amongſt the Records of the ſaid Seſſions.

Certificate of the name of him which taketh the Oath.

Refuſal of the Oath.

And be it further enacted, That if any ſuch perſon or perſons, other then Noble men, or Noble women, ſhall refuſe to anſwer upon Oath to ſuch Biſhop or Juſtices of Peace examining him or her as aforeſaid, or to take the ſaid Oath ſo duly tendered unto him or her by ſuch Biſhop, or two ſuch Juſtices of Peace out of Seſſions, That then the ſaid Biſhop or Juſtices of Peace ſhall and may commit the ſame perſon to the common Gaol, there to remain without bail or mainpriſe, untill the next Aſſizes, or general or quarter Seſſions to be holden for the ſaid Shire, Diviſion, Limit, or Liberty, where the ſaid Oath ſhall be again in the ſaid open Aſſizes or Seſſions required of ſuch perſon, by the ſaid Juſtices of Aſſize, or Juſtices of Peace, then and there preſent, or the greater number of them. And if the ſaid perſon or perſons, or any other perſon whatſoever, other then Noble men, or Noble women, of the age

age of eighteen years or above, ſhall refuſe to take the ſaid Oath being tendered unto him or her by the Juſtices of Aſſize and Gaol delivery in their open Aſſizes, or the Juſtices of Peace, or the greater part of them, in their ſaid general quarter Seſſions, every perſon ſo refuſing ſhall incur the danger and penalty of *Premunire*, mentioned in the Statute of *Premunire*, made in the ſixteenth year of the raign of King *Richard* the ſecond, except women covert, who upon refuſal of the ſaid Oath ſhall be by the ſaid Juſtices of Aſſize in their open Aſſize, or Juſtices of Peace in their general or quarter-Seſſions, for the ſaid offence, committed only to the common Gaol, there to remain without bail or mainprize till they will take the ſaid Oath.

The penalty of *Premunire.*

Women covert.

The form of which Oath hereafter followeth.

The form of the Oath of obedience.

I *A. B. do truly and ſincerely acknowledge, profeſs, teſtifie, and declare in my conſcience before God and the world, That our Soveraign Lord King* James *is lawful and rightful King of this Realm, and of all other his Majeſties Dominions and Countries; and that the Pope neither of himſelf, nor by any authority of the Church or See of* Rome, *or by any other means with any other, hath any power or authority to depoſe the King, or to diſpoſe any of his Majeſties Kingdoms or Dominions, or to authorize any forraign Prince to invade or annoy him, or his Countrys, or to diſcharge any of his Subjects of their allegiance and obedience to his Majeſty, or to give licence or leave to any of them to bear arms, raiſe tumult, or to offer any violence or hurt to his Majeſties Royal Perſon, State, or Government, or to any of his Majeſties Subjects, within his Majeſties Dominions.*

Alſo I do ſwear from my heart, that notwithſtanding any declaration or ſentence of Excommunication, or deprivation made or granted, or to be made or granted by the Pope or his Succeſſors, or by any authority derived, or pretended to be derived from him or his See, againſt the ſaid

King, his Heirs or Succeſſors, or any abſolution of the ſaid Subjects from their obedience: I will bear faith and true allegiance to his Majeſty, his Heirs and Succeſſors, and him and them will defend to the uttermoſt of my power, againſt all conſpiracies and attempts whatſoever, which ſhall be made againſt his or their perſons, their Crown and dignity, by reaſon or colour of any ſuch ſentence or declaration, or otherwiſe, and will do my beſt endeavour to diſcloſe and make known unto his Majeſty, his Heirs and Succeſſors, all Treaſons and traiterous conſpiracies, which I ſhall know or hear of to be againſt him or any of them.

And I do further ſwear, That I do from my heart abhor, deteſt, and abjure, as impious and heretical, this damnable doctrine and poſition, That Princes which be excommunicated or deprived by the Pope, may be depoſed or murthered by their Subjects, or any other whatſoever.

And I do believe, and in conſcience am reſolved, that neither the Pope, nor any perſon whatſoever, hath power to abſolve me of this Oath, or any part thereof, which I acknowledge by good and full authority to be lawfully miniſtred unto me, and do renounce all Pardons and Diſpenſations to the contrary. And all theſe things I do plainly and ſincerely acknowledge and ſwear, according to theſe expreſs words by me ſpoken, and according to the plain and common ſenſe and underſtanding of the ſame words, without any equivocation, or mental evaſion, or ſecret reſervation whatſoever. And I do make this recognition and acknowledgment heartily, willingly, and truly, upon the true Faith of a Chriſtian. So help me God.

Unto which Oath ſo taken, the ſaid perſon ſhall ſubſcribe his or her name or mark.

No indictment of a Recuſant ſhall be reverſed for default of form.

And be it further enacted by the authority aforeſaid, That no Indictment or Indictments had or found, or hereafter to be had or found againſt any perſon or perſons,

ſons, for not repairing to ſome Church or Chappel, or uſual place of Common Prayer, but abſenting him or her ſelf by the ſpace of one moneth, contrary to the Laws and Statutes in that behalf provided, or for not receiving the ſaid Sacrament contrary to this preſent Law, Nor any Proclamation, Utlawry, or other proceeding thereupon, ſhall at any time hereafter be avoided, diſcharged, or reverſed, by reaſon of any default in form, or lack of form, or other defect whatſoever (other then by direct Traverſe to the point of not coming to Church, or not receiving the ſaid Sacrament) whereof ſuch perſon or perſons hath been or ſhall be indicted, but the ſame Indictment ſhall ſtand in force, and be proceeded upon: Any ſuch default of form, or other defect whatſoever notwithſtanding.

He that conformeth himſelf, may traverſe an indictment.

Provided alwayes, that if any perſon or perſons ſo indicted, or to be indicted, ſhall at any time hereafter ſubmit and conform him or her ſelf, and become obedient to the Laws of the Church of *England*, and repair to the Pariſh Church of his or their moſt abiding, and if there be none ſuch, then to the Church next adjoyning to his or her ſuch dwelling, and there hear Divine Service, according to the true meaning of the Statute in that behalf made and provided, and there publickly receive the ſaid Sacrament, according to the Laws of this Realm of *England* now eſtabliſhed: That then every ſuch perſon and perſons ſo indicted, ſhall and may from thenceforth be admitted and allowed to avoid, diſcharge, reverſe and undo the ſaid indictment and indictments, and all proceedings thereupon, in ſuch manner and form as if this preſent Act had not been had nor made: Any thing herein contained to the contrary in any wiſe notwithſtanding.

And foraſmuch as it is found by late experience, that ſuch as go voluntarily out of this Realm of *England*, to ſerve forraign Princes, States or Potentates, are for the moſt part perverted in their Religion and Loyalty by Jeſuites and Fugitives, with whom they do there converſe:

converſe: Be it therefore enacted by the authority aforeſaid, That every ſubject of this Realm that after the tenth day of *June* next coming, ſhall go or paſs out of this Realm to ſerve any forraign Prince, State, or Potentate, or ſhall after the ſaid tenth day of *June* paſs over the Seas, and there ſhall voluntarily ſerve any ſuch forraign Prince, State, or Potentate, not having before his or their going or paſſing as aforeſaid, taken the Oath aforeſaid, before the officer hereafter appointed, ſhall be a Felon.

He ſhall take the Oath which goeth out of the Realm to ſerve a forraign Prince.

And that if any Gentleman or perſon of higher degree, or any perſon or perſons which hath born or ſhall bear any office or place of Captain, Lieutenant, or any other place, charge, or office in Camp, Army, or company of Souldiers, or Conducter of Souldiers, ſhall after go or paſs voluntarily out of this Realm, to ſerve any ſuch forraign Prince, State, or Potentate, or ſhall voluntarily ſerve any ſuch Prince, State, or Potentate, before that he and they ſhall become bound by obligation, with two ſuch Sureties as ſhall be allowed of by the officers, which are hereafter by this Act limited, to take the ſame bond unto our Soveraign Lord the Kings Majeſty, his heirs or ſucceſſors, in the ſum of twenty pounds of currant Engliſh money at the leaſt, with condition to the effect following, ſhall be a Felon.

A Gentleman, Captain, or Lieutenant ſerving a forraign Prince ſhall be bound to the King, &c.

The tenor of which condition followeth, *viz.*

THat if the within bounden, &c. *ſhall not at any time then after be reconciled to the Pope or See of* Rome, *nor ſhall enter into, or conſent unto any Practice, Plot, or Conſpiracy whatſoever againſt the Kings Majeſty, his heirs and ſucceſſors, or any his and their Eſtate and Eſtates, Realms or Dominions: but ſhall within convenient time after knowledge thereof had, reveal and diſcloſe to the Kings Majeſty, his heirs and ſucceſſors, or ſome of the Lords of his or their Honourable Privy Council, all ſuch Practices, Plots and Conſpiracies, That then the ſaid Obligation to be void.*

And

And that for the due execution of this Branch of this preſent Law, it ſhall and may be lawful to and for the Cuſtomer and Controller of every Port, Haven, or Creek, or one of them, and their, or either of their Deputy or Deputies, and none other, to receive and accept all and every ſuch Bond and Obligation to and for the uſes aforeſaid, and to miniſter and give the Oath aforeſaid, according to the true intent of this Statute, (taking for ſuch Bond ſix pence, and no more, and for the ſaid Oath, no Fee at all.) Which ſaid Cuſtomer and Controller ſhall regiſter and certifie all and every ſuch Bond and Oath ſo taken, into the Court of *Exchequer* at *Weſtminſter* once every year, upon pain of five pounds for every Bond not ſo certified, and twenty ſhillings for every Oath not ſo certified.

Who ſhall take the Obligation, and miniſter the Oath.

Forfeiture for not certificate.

Provided alwayes, that this laſt mentioned Branch ſhall not extend to any perſon or perſons which are already gone, or ſhall go beyond the Seas to ſerve any forraign Prince, State, or Potentate, before the tenth day of *June* next coming, for his ſaid going or paſſing before the ſaid tenth day of *June*.

And further be it enacted by the authority aforeſaid, That if any perſon or perſons at any time after the ſaid tenth day of *June*, ſhall either upon the Seas, or beyond the Seas, or in any other place within the Dominions of the Kings Majeſty, his Heirs or Succeſſors, put in practice to abſolve, perſwade, or withdraw any of the Subjects of the Kings Majeſty, or of his Heirs or Succeſſors of this Realm of *England*, from their natural obedience to his Majeſty, his Heirs or Succeſſors, or to reconcile them to the Pope or See of *Rome*, or to move them or any of them, to promiſe obedience to any pretended authority of the See of *Rome*, or to any other Prince, State or Potentate, That then every ſuch perſon, their Procurers, Counſellors, Ayders, and Maintainers, knowing the ſame, ſhall be to all intents adjudged Traytors, and being thereof lawfully convicted, ſhall have judgement, ſuffer and forfeit as in caſes of high Treaſon.

Putting in practiſe to abſolve or withdraw any from obedience, or to reconcile them to the Pope.

Being with-drawn or reconciled.

And if any ſuch perſon, as aforeſaid, at any time after the ſaid tenth day of *June* ſhall be either upon the Seas, or beyond the Seas, or in any other place within the Dominions of the Kings Majeſty, his Heirs or Succeſſors, willingly abſolved or withdrawn, as aforeſaid, or willingly reconciled, or ſhall promiſe obedience to any ſuch pretended authority, Prince, State, or Potentate, as aforeſaid, That every ſuch perſon and perſons, their Procurers and Counſellors, Ayders and Maintainers, knowing the ſame, ſhall be to all intents adjudged Traytors, and being thereof lawfully convicted, ſhall have judgement, ſuffer and forfeit, as in caſes of high Treaſon.

A reconciled perſon taking the Oath.

Provided nevertheleſs, that the laſt mentioned Clauſe of this Branch, or any thing therein contained, ſhall not extend, or be taken to extend to any perſon or perſons whatſoever, which ſhall hereafter be reconciled to the Pope or Sea of *Rome*, as aforeſaid (for and touching the point of ſo being reconciled only) that ſhall return into this Realm, and thereupon within ſix dayes next after ſuch return before the Biſhop of the Dioceſs, or two Juſtices of Peace (joyntly or ſeveral) of the County where he ſhall arrive, ſubmit himſelf to his Majeſty and his Laws, and take the Oath ſet forth by Act in the firſt year of the raign of the late Queen *Elizabeth* (commonly called the Oath of Supremacy) as alſo the Oath before ſet down in this preſent Act, which ſaid Oathes the ſaid Biſhop and Juſtices reſpectively ſhall have power and authority by this preſent Act, to miniſter to ſuch perſons as aforeſaid. And the ſaid Oathes ſo taken, the ſaid Biſhop and Juſtices before whom ſuch Oathes ſhall be ſo taken, reſpectively ſhall certifie at the next General or Quarter Seſſions of the Peace to be holden within the ſaid Shire, Limit, Diviſion, or Liberty, wherein ſuch perſon as aforeſaid ſhall ſubmit himſelf, and take the ſaid Oathes as aforeſaid, upon pain of every one neglecting to certifie the ſame as aforeſaid, the ſumm of forty pounds.

And

And be it further enacted, That all and every perſon and perſons that ſhall offend contrary to this preſent Branch of this Statute, ſhall be indicted, tryed and proceeded againſt, by and before the Juſtices of Aſſize and Gaol delivery of that County for the time being, or before the Juſtices of the Court of Kings Bench, and be there proceeded againſt, according to the Laws and Statutes of this Realm againſt Traytors, as if the ſaid offence had been committed in the ſame County where ſuch perſon or perſons ſhall be ſo taken: Any Law, Cuſtom, or Statute to the contrary in any wiſe notwithſtanding. Where the tryall ſhall be.

Provided alwayes, that if any Peer of this Realm ſhall happen to be indicted of any offence made Treaſon by this Act, he ſhall have his tryal by his Peers, as in other like caſes of Treaſon is accuſtomed. Peers.

And be it further enacted, That if any ſubject of this Realm, at any time after one Moneth next after the end of this preſent Seſſion of Parliament, ſhall not reſort or repair every Sunday to ſome Church, Chappell, or ſome other uſual place appointed for Common-Prayer, and there hear Divine Service, according to the Statute made in that behalf, in the firſt year of the raign of the late Queen *Elizabeth*, that then it ſhall and may be lawful to and for any one Juſtice of Peace of that limit, diviſion, or liberty, wherein the ſaid party ſhall dwell, upon proof unto him made of ſuch default, by confeſſion of the party, or Oath of witneſs, to call the ſaid party before him: and if he or ſhe ſhall not make a ſufficient excuſe, and due proof thereof, to the ſatisfaction of the ſaid Juſtice of Peace, That it ſhall be lawful for the ſaid Juſtice of Peace to give Warrant to the Church-warden of the ſaid Pariſh, wherein the ſaid party ſhall dwell, under his hand and ſeal, to levy twelve pence for every ſuch default, by diſtreſs, and ſale of the goods of every ſuch offendor, rendring to the ſaid offendor the overplus of the money raiſed of the ſaid goods ſo to be ſold. And that in de- The forf. for not repairing to Church weekly.

fault of such distress, it shall and may be lawful for the said Justice of Peace, to commit every such offendor to some prison within the said Shire, Division, Limit, or Liberty, wherein such offendor shall be inhabiting, until payment be made of the said summ or summs so to be forfeited, which forfeiture shall be employed to and for the use of the poor of that Parish wherein the offendor shall be resident, or abiding at the time of such offence committed.

Within what time the offendor shall be impeached.

Provided, that no man be impeached upon this Clause, except he be called in question for his said default, within one Moneth next after the said default made.

But once punished for one offence.

And that no man being punished according to this Branch, shall for the same offence be punished by the forfeiture of twelve pence, upon the Law made in the first year of the late Queen *Elizabeth*.

Relieving or keeping a Recusant in his house.

And in lieu thereof be it enacted, That every person and persons, which after one Moneth next after the end of this present Session of Parliament, shall wilfingly maintain, retain, relieve, keep, or harbour in his or their house, any Servant, Sojourner, or Stranger, who shall not go to, or repair to some Church or Chappel, or usual place of Common Prayer, to hear Divine Service, but shall forbear the same by the space of one Moneth together, not having a reasonable excuse, contrary to the Laws and Statutes of this Realm, shall forfeit ten pounds for every Moneth that he, she, or they shall so relieve, maintain, retain, keep, or harbour any such Servant, Sojourner, or Estranger in his or their house, so forbearing as aforesaid.

Retaining a Recusant in his service, fee, or livery.

And that every person which shall within the time aforesaid retain or keep in his, her, or their Service, Fee, or Livery, any person or persons, which shall not go to, or repair to some Church, Chappel, or usual place of Common Prayer, to hear Divine Service, but shall forbear the same by the space of one Moneth together, shall forfeit for every Moneth, he, she, or they

they ſhall ſo retain, keep, or continue in his, her, or their Service, Fee, or Livery, any ſuch perſon or perſons, ſo forbearing as aforeſaid, knowing the ſame, ten pounds, the ſame penalties to be recovered and employed in manner and form hereafter following.

Provided nevertheleſs, that this Act ſhall not in any wiſe extend to puniſh or impeach any perſon or perſons, for maintaing, retaining, relieving, keeping, or harbouring, his, her, or their Father or Mother, wanting, without fraud or covin, other habitation, or ſufficient maintenance, or the Ward of any ſuch perſon, or any perſon that ſhall be committed by authority to the cuſtody of any by whom they ſhall be ſo levied, maintained, or kept: Any thing in this Act contained to the contrary notwithſtanding. The father, mother, ward, &c. perſon committed by authority.

And be it further enacted by authority of this preſent Parliament, That upon any lawful Writ, Warrant, or Proceſs, awarded to any Sheriff, or other Officer, for the taking or apprehending of any Popiſh Recuſant, ſtanding excommunicated for ſuch Recuſancy, it ſhall be lawful for ſuch Sheriff, or other Officer, authorized in that behalf, if need be, to break open any houſe wherein ſuch perſon excommunicate ſhall be, or to raiſe the power of the County, for the apprehending of ſuch perſon, and the better execution of ſuch Warrant, Writ or Proceſs. Breaking a houſe to take a Recuſant excommunicate.

And be it further enacted, That all and every Offence to be committed or done againſt this preſent Act, ſhall and may be enquired of, heard, and determined before the Juſtices of the Kings Bench, Juſtices of Aſſize and Gaol delivery, in their ſeveral Aſſizes and Gaol deliveries. And all Offences, other than Treaſon, ſhall be enquired, heard, and determined before the Juſtices of Peace in their General or Quarter Seſſions to be holden within the Shire, Diviſion, Limit, or Liberty, wherein ſuch Offence ſhall happen. In what Courts the offences ſhall be heard and determined.

Attainder of Felony no forf. of Dower, or corruption of blood.

Provided alwayes, and be it enacted by the authority aforeſaid, That any attainder of Felony made Felony by this Act, as is aforeſaid, ſhall not in any wiſe extend to take away the Dower of the wife of any ſuch perſon attainted, or be any barr for recovery of the ſame, nor ſhall make or work any corruption of Blood, or Diſheriſon of any the heir or heirs, of any ſuch perſon or perſons ſo attainted: This Act, or any thing therein contained, to the contrary in any wiſe notwithſtanding.

The plea to an action brought for doing any thing by force of this Statute.

And be it further enacted, That if any Action or Actions ſhall at any time hereafter be commenced or brought againſt any perſon or perſons, doing, committing, or commanding any Act or Thing, for or concerning the execution of this preſent Statute, or any Article or Clauſe therein contained, That then every Defendant in ſuch Action and Actions may plead the general Iſſue, and be received to maintain the ſame, by any evidence that ſhall prove his doings and proceedings warrantable by this Law.

The authority of the Eccleſiaſtical Court reſerved.

Provided alwayes, that neither this Act, nor any thing therein contained, ſhall extend to take away or abridge the Authority or Juriſdiction of the Eccleſiaſtical Cenſures, for any Cauſe or Matter, But that the Commiſſioners of his Majeſty, his heirs and ſucceſſors, in Cauſes Eccleſiaſtical for the time being, and the Archbiſhops, Biſhops, and other Eccleſiaſticall Judges may do and proceed, as before the making of this Act they lawfully did or might have done: Any thing in this Act to the contrary in any wiſe notwithſtanding.

No forfeiture for the wives offence.

Provided alwayes and be it enacted, That no perſon ſhall be charged or chargeable with any penalty or forfeiture by force of this Act, which ſhall happen for his wives offence, in not receiving the ſaid Sacrament during her marriage, nor that any woman ſhall be charged or chargeable with any penalty or forfeiture by force of this Act, for any ſuch offence of

not

not receiving, which ſhall happen during her marriage.

Provided alſo, and be it enacted by authority of this Parliament, That in all cauſes where any Biſhop or Juſtices of the Peace may by force of this Act require and take of any ſubject the Oath above mentioned, That the Lords of the Privy Council for the time being, or any ſix of them, whereof the Lord Chancellor, Lord Treaſurer, or the principal Secretary for the time to be one, ſhall have full power and authority by force of this Act, at any time or times, to require and take the ſaid Oathes before mentioned, of any Noble-man or Noble-woman (then being above the age of eighteen years.) And if any ſuch Noble-man or Noble-woman (other then women married) ſhall refuſe to take ſuch Oath or Oathes, that in every ſuch caſe ſuch Noble-man and Noble-woman ſhall incurre the pain and danger of a *Præmunire*.

Who may take the Oath of a Noble-man or woman. *Co. pla. fo.* 434.

Provided alſo, and be it enacted by authority of this Parliament, That where any perſon or perſons ſhall go or paſs out of the Cinque Ports, or any member thereof, to any parts beyond the Seas, to ſerve any forraign Prince, State, or Potentate: That in every ſuch caſe, the Lord Warden of the Cinque Ports for the time being, or any perſon by him in that behalf appointed or to be appointed, ſhall have full power and authority by vertue hereof, to take the Bond, and miniſter the Oath to ſuch paſſengers, as is above-mentioned.

Who ſhall take the Oath in the Cinque Ports.

Anno

Anno ſeptimo Jacobi Regis.

Chap. VI.

Who ſhall take the Oath of Obedience to the King, and by whom it ſhall be miniſtred, and within what time.

WHereas by a Statute made in the third year of your Majeſties Raign, intituled, An Act for the better diſcovering and repreſſing of Popiſh Recuſants, the form of an Oath to be miniſtred and given to certain perſons in the ſame Act mentioned, is limited and preſcribed, tending only to the declaration of ſuch duty, as every true and well affected ſubject, not only by bond of Allegiance, but alſo by the Commandment of Almighty God ought to bear to your Majeſty, your heirs and ſucceſſors; which Oath ſuch as are infected with Popiſh ſuperſtition do oppugne, with many falſe and unſound arguments, the juſt defence whereof your Majeſty hath heretofore undertaken and worthily performed, to the great contentment of all your loving Subjects, notwithſtanding the gainſayings of contentious adverſaries.

Every perſon above the age of 18. years herein intended, ſhall take the Oath of obedience.

And to ſhew how greatly your loyal Subjects do approve the ſaid Oath, they proſtrate themſelves at your Majeſties feet, beſeeching your Majeſty, that the ſame Oath may be adminiſtred to all your Subjects. To which end, we do with all humbleneſs beſeech your Highneſs that it may be enacted: and be it enacted by the authority of this preſent Parliament, that all and every perſon and perſons, as well Eccleſiaſtical as Temporal, of what eſtate, dignity, preheminence, ſex, quality, or degree ſoever he, ſhe or they be, or ſhall be, above the age of eighteen years, being in this Act mentioned and intended, ſhall make, take and receive a corporal Oath upon the Evangeliſts, according to the

Before whom each perſon ſhall take the Oath.

tenor

tenor and effect of the ſaid Oath ſet forth in the forementioned Statute, before ſuch perſon or perſons, as hereafter in this Act is expreſſed: That is to ſay, all and every Archbiſhop and Biſhop that now is, or hereafter ſhall be, before the Lord Chancellor, or Lord Keeper of the Great Seal for the time being.

Archbiſhops and Biſhops, Eccleſiaſtical Judges and Officers.

And all and every Eccleſiaſtical Judge, Officer and Miniſter, of what eſtate, dignity, preheminence, or degree ſoever he or they be or ſhall be, before the Archbiſhop of the Province, or Biſhop, or other Ordinary of the Dioceſs for the time being, wherein ſuch Eccleſiaſtical Judge, Officer, or Miniſter ought to exerciſe his ſaid office, place or function.

A Baron or Baroneſs, or above that degree, Privy Counſellers, and Preſidents.

And all and every perſon and perſons of or above the degree of a Baron of Parliament, or Baroneſs of this your Highneſs Realm of England, and all of your Highneſs Privy Council, reſiding in *London* or *Weſtminſter*, or within thirty miles thereof, and the Preſidents of *Wales* and the North parts, before any four of your Highneſs Privy Counſel, whereof the Lord Chancellor, Lord Treaſurer, Lord Privy Seal, or Principal Secretary for the time being, to be one. And if ſuch perſon or perſons live and reſide in the Country, diſtant above thirty miles from *London*, then before the Lord Biſhop of the Dioceſs, or ſuch other perſon or perſons, as the Lord Chancellor or Lord Keeper of the Great Seal for the time being, ſhall thereto by Writ of *Dedimus poteſtatem*, authorize.

The ſworn ſervants of the King, the Qu. Prince, *&c.*

And all and every the ſworn ſervants ordinary and extraordinary of your Highneſs, the Queens grace, or of the houſhold of the Prince of *Wales*, and of the reſt of your Highneſs children, before the Lord Steward, the Lord Chamberlains and Vicechamberlains to your Highneſs and the Queen, the Treaſurer and Controller of your Highneſs houſhold, the Maſter of your Highneſs Horſe, the Dean of the Chappel, and the Knight Marſhal for the time being, the Officers of the Greencloth, or any three of them.

Judges, Ministers of Justice, and they which receive the Kings fee.

All and every temporal Judge, Justices of Peace, Sheriffes, Escheators, Feodaries, and other Officers and Ministers of Justice in this present Act not specially mentioned, and every other person or persons that doth or shall receive any Fee of your Highness, your Heirs and Successors, before the Lord Chancellor, or Lord Keeper of the Great Seal, Lord Treasurer, Lord Admiral, Lord Warden of the five Ports for the time being, or one of them, or before one of the chief Justices of either of your Majesties Bench, or of the Common Pleas, or before Justices of Assise of the same County where the parties reside, or other such persons as the Lord Chancellor or Keeper of the said Great Seal shall thereto authorize.

Chief officers of Cities and Towns corporate.

And all Mayors, Bayliffs, or other chief Officers of Cities and Towns corporate, by what name soever they be called or known, before such person or persons as usually administer the Oath to them at their first entrance into their said Offices.

Knights, Citizens, Burgesses and Barons of the Parliament.

And all and every the Knights, Citizens, Burgesses, and Barons of the five Ports of the Commons House of Parliament, at any Parliament or Session of Parliament hereafter to be assembled, before he or they shall be permitted to enter into the said House, before the Lord Steward for the time being, or his deputy or deputies. And the Master of the Ordnance, Lieutenant of the Tower of *London*, and Mint-master there, the four principal Officers of your Navy under the Lord Admiral, before the Lord Chancellor or Lord Keeper of the Great Seal, and the Lord Admiral for the time being, or any of them.

The Master of the Ordnance, Lieutenant of the Tower, *&c.*

Officers and servants in the Tower.

And all the Officers, Ministers, servants, and others within your said Tower of *London*, before the Lieutenant of the Tower.

Officers and Souldiers in ships.

And all the Vice-admirals, Captains, Masters, Officers, Ministers, and Souldiers in your Highness ships, or any of them, before the said four principal Officers of your Navy, or any two of them.

And

And all perſons having charge of Caſtles, Fortreſſes, Block-houſes, or Gariſons, and all Captains who ſhall have charge of Souldiers within this your Highneſs Realm, before the Juſtices of Aſſiſe of the ſame County, or before two Juſtices of the peace of the ſame County, City or liberty where the ſame Caſtles, Fortreſſes or Block-houſes ſhall ſtand, or the charge of Souldiers ſhall be. Captain of Caſtles, Souldiers.

All Doctors, Advocates, and Proctors of the Civil Law, and their Clarks, before the Biſhop of the Dioceſs, where they ſhall for the moſt part dwell or reſide. Doctors, Advocates and Proctors of the Civil Law.

And all and every perſon or perſons Temporal, that hereafter ſhall ſue Liwery or *Ouſter le maine* out of the hands of your Highneſs, your Heirs or Succeſſors, before his or their *Ouſter le maine* ſued forth and allowed, before the Maſter of the Wards and Liveries, or before the Surveyor and Atturney of your Highneſs ſaid Court, in open Court. Suers of Livery.

All the Sergeants at Law, ſervants to the Judges in your Highneſs Courts at *Weſtminſter*, and all other in the Sergeants Inns, before the chief Juſtice of your Majeſties Beneh, the chief Juſtice of the Common Pleas, and the chief Baron of your Exchequer, or ſome, or one of them. Sergeants at the Law, and the Judges ſervants.

All your Highneſs Subjects in the Inns of Court, or that hereafter ſhall be admitted thereunto, and the Principals and Treaſurers of every Inn of Chancery, before the Readers and Benchers of the ſeveral Houſes, whereto they belong, or four of them at the leaſt, in their open Halls. Gentl. of the Inns of Court, and principals of the Inns of Chancery.

All other your Majeſties Subjects, as well Ancients as other, not being Principal or Treaſurer, that now are, or hereafter ſhall be admitted into any Inn of Chancery, before the Principal or Treaſurer, and Ancients of the ſeveral Inns of Chancery, or four of them, in their open Halls. All of the Inns of Chancery.

All Prothonotaries, Philizers, Officers, Miniſters, Prothonotaries, Officers, Atturnies, Clarks, *&c.*

Atturnies, and Clarks that now are, or hereafter ſhall be admitted to write or practiſe in any of your Highneſs Courts at *Weſtminſter*, or in any other Court of Record, before the Judge or Judges of the ſame Court.

Clarks and officers of the Chancery.

All Clarks of the Chancery, and all their Under-clarks, and all other Officers of the ſaid Court of Chancery, and their Clarks, before the Maſter of the Rolles for the time being, or before two of the Maſters of the ſaid Court of Chancery.

Parſons, Vicars, Curates, &c. Schoolmaſter, Uſher.

All Parſons, Vicars, and Curates, and all other perſons Eccleſiaſtical taking Orders, and all and every School-maſter or Uſher, before the Biſhop of the Dioceſs, or other Ordinary in the ſame, ſitting in open Court.

The Vicechancellors in the Univerſities, and Principals of Colledges or Halls.

The Vicechancellors of both the Univerſities for the time being, and the Preſidents, Wardens, Provoſts, Maſters of Colledges and Halls, and all other Heads and Principals of Houſes, Proctors, and Beadles of the Univerſities, publickly in the Convocation, before the Senior Maſters there preſent.

Perſons promoted to degree in School.

And all and every other perſons whatſoever, that is or ſhall be promoted to any degree in School, before the Vicechancellor of the ſaid Univerſity for the time being, in the Congregation Houſe.

Fellows & Scholars in Colledges.

All Fellows of Houſes, and all Scholars of Halls or Colledges that now are, or hereafter ſhall be received into the ſame, being under the degree of a Baron, before the Preſident, Maſter, Provoſt, Warden, or other head or chief Governour of that Colledge, Hall, or Houſe whereinto he ſhall be received, and in the open Hall.

Doctors & Practicers of Phyſick.

And all Doctors of Phyſick, and all other who practiſe Phyſick, that now are, or hereafter ſhall be admitted into the Colledge of Phyſitians in *London*, before the Preſident of the ſame Colledge for the time being.

Aldermen, Sheriffs, & Freemen of Cities & Towns Corporate.

And all Aldermen, Sheriffes, or Under-officers whatſoever,

ſoever, of the Cities and Towns corporate, and all ſuch as hereafter ſhall be made Freemen of the ſaid City or Town corporate, before the Mayor, Bayliffes, or other chief Officer of the ſaid City or Town in the open Hall.

When the Perſons aforeſaid ſhall take the ſaid Oath.

And to the intent that due execution may be had of the premiſes without delay, it is further enacted by the authority aforeſaid, That all the perſons before named, who have any certain time limited or expreſſed when to take the aforeſaid Oath, ſhall at the time therein preſcribed, take the ſame, and the reſt within ſix moneths next after the end of this preſent Seſſion of Parliament.

Who may tender the ſaid Oath, and to whom.

And be it further enacted by authority of this preſent Parliament, That it ſhall and may be lawful to and for any of the Privy Council of your Highneſs, or of your heirs and ſucceſſors, and to and for every Biſhop within his Dioceſs, to require any Baron or Baroneſs, of the age of eighteen years or above, to take the ſaid Oath, and to and for any two Juſtices of Peace within any County, City, or Town corporate, whereof one to be of the *Quorum*, to require any perſon or perſons, of the age of eighteen years, or above, under the degree of a Baron or Baroneſs, to take the ſaid Oath. And if any perſon or perſons, of, or above the ſaid age and degree, now ſtand, or hereafter at any time ſhall ſtand and be preſented, indicted or convicted for not coming to Church, or not receiving the holy Communion or Sacrament of the Lords Supper, according to the Laws and Statutes of this Realm, before the Ordinary, or other having lawful power to take ſuch Preſentment or Indictment; Then three of the Privy Council of your Highneſs, your heirs and ſucceſſors, whereof the Lord Chancellor, Lord Treaſurer, Lord Privy Seal, or principal Secretary to be one, upon knowledge thereof, ſhall require ſuch perſon or perſons to take the ſaid Oath. And if any other perſon or perſons whatſoever, of and above the ſaid age, and

under the said degree, now stand, or at any time hereafter shall stand, and be presented, indicted, or convicted for not coming to Church, or receiving the holy Communion or Sacrament of the Lords Supper, according to the Laws and Statutes of this Realm, before the Ordinary, or any other having lawful power to take such Presentment or Indictment, or if the Minister, Petty Constable, and Church-wardens, or any two of them, shall at any time hereafter complain to any Justice of peace, near adjoyning to the place where any person complained of, shall dwell, and the said Justice shall find cause of suspition, That then any one Justice of peace, within whose Commission or Power such person or persons shall at any time hereafter be, or to whom complaint shall be made as aforesaid, shall upon notice thereof, require such person or persons to take the said Oath: And that if any person or persons, being of the age of eighteen years, or above, shall refuse to take the said Oath, duly tendred to him or her, according to the true intent and meaning of this Statute, That then the persons authorized by this Law to give the said Oath, shall and may commit the same offendor to the common Gaol, there to remain without bail or main-prise, untill the next Assises, or general quarter Sessions, to be holden for the said Shire, Division, Limit or Liberty, Where the said Oath shall be again, in the said open Sessions required of such person by the said Justices of Assise, or Justices of the peace then and there present, or the greater number of them. And if the said person or persons, of the age of eighteen years, or above, shall refuse to take the said Oath, being tendred to him, or her, by the said Justices of Assise and Gaol delivery, in their open Assises, or Gaol delivery, or the Justices of peace, or the greater part of them, in their general or quarter Sessions, Every person so refusing shall incurr the danger and penalty of *Præmunire*, mentioned in a Statute made in the sixteenth year of the raign of King *Richard* the second,

The penalty for refusing to take the said Oath.

(Except

Except Women Covert, who ſhall be committed only to Priſon, there to remain without bail or mainpriſe, till they will take the ſaid Oath.)

Diſabled to execute or practiſe certain Offices or Sciences.

And be it further enacted, That every perſon refuſing to take the ſaid Oath, as above, ſhall be diſabled to all intents and purpoſes, to execute any publick place of Judicature, or bear any other office (being no office of Inheritance, or Miniſterial Function) within this your Highneſs Realm of *England*: or to uſe or practiſe the Common Law, or Civil Law, or the Science of Phyſick, or Surgery, or the Art of an Apothecary, or any Liberal Science, for his or their gain, within this Realm, untill ſuch time as the ſame perſon ſhall receive the ſame Oath, according to the intent of this Statute.

The penalty of a married woman Recuſant, which ſhall not come to the Chu. and receive the Sacrament.

And be it further enacted, That if any married Woman (being lawfully convicted as a Popiſh Recuſant, for not coming to Church) ſhall not within three moneths next after ſuch Conviction, conform her ſelf, and repair to the Church, and receive the Sacrament of the Lords Supper, according to the former Laws and Statutes, made and provided in that behalf touching Recuſants, That then ſhe ſhall be committed to Priſon by one of the Privy Council of your Highneſs, your heirs or ſucceſſors, or by the Biſhop of the Dioceſs, if ſhe be a Baroneſs, or if ſhe be under that degree, by two Juſtices of the peace of the ſame County, whereof one to be of the *Quorum*, there to remain without bail or mainpriſe, untill ſhe ſhall conform her ſelf and come to Church, and receive the Sacrament of the Lords Supper, unleſs the Husband of ſuch Wife ſhall pay to the Kings Majeſty, his heirs or ſucceſſors, for the offence of the ſaid Wife, for every moneth ten pounds of lawful money of *England*, or elſe the third part (in three parts to be divided) of all his Land and Tenements, at the choice of the Husband, whoſe Wife is ſo convicted, as aforeſaid, for and during ſo long time, as ſhe remaining a Recuſant convicted, ſhall continue out of

of Priſon, during which time (and no longer) ſhe may be at liberty.

Anno decimo ſexto, Richardi ſecundi.

Cap. V.

What Præmunire is, as it is therein expreſſed.

TO be put out of the Kings protection, and their Lands and Tenements, Goods and Chattels forfeit to our Lord the King, and that they be attached by their bodies, if they may be found and brought before the King and his Counſel there to anſwer to the caſes aforeſaid, or that proceſs be made againſt them by *Præmunire facias* in manner as it is ordained in other Statutes of proviſors, and other which do ſue in any other Court in derogation of the Regalty of our Lord the King.

Anno primo Reginę Elizabethę.

Cap. II.

There ſhall be uniformity of Prayer, and adminiſtration of Sacraments.

WHere at the death of our Late Soveraign Lord, King *Edward* the ſixth there remained one uniform order of common Service and Prayer, and of the adminiſtration of Sacraments, Rites and Ceremonies in the Church of *England*, which was ſet forth in one book, intituled, The Book of Common Prayer, and adminiſtration of Sacraments, and other Rites and Ceremonies in the Church of *England*, authorized by Act of

of Parliament, holden in the fifth and sixth years of our said late Soveraign Lord King *Edward* the sixth, intituled, an Act for the uniformity of Common-prayer, and administration of the Sacraments: the which was repealed and taken away by Act of Parliament in the first year of the raign of our late Soveraign Lady Queen *Mary*, to the great decay of the due honour of God, and discomfort to the professors of the truth of Christs Religion.

A repeal of the Statute of 1. *M.* 2. and the Book of Common Prayer shall be of effect.

Be it therefore enacted by the authority of this present Parliament, that the said estatute of repeal, and every thing therein contained, only concerning the said Book, and the Service, administration of the Sacraments, Rites, and Ceremonies, contained or appointed in or by the said Book, shall be void and of none effect, from and after the Feast of the Nativity of St. *John Baptist* next coming: And that the said Book, with the order of Service, and of the administration of Sacraments, Rites, and Ceremonies, with the alteration and additions therein added and appointed by this Estatute, shall stand and be from and after the said Feast of the Nativity of St. *John Baptist* in full force and effect, according to the tenour and effect of this Estatute: any thing in the aforesaid Estatute of repeal to the contrary notwithstanding.

The Book of Common Prayer shall be used. 8. *El.* 1.

And further be it enacted by the Queens Highness, with the assent of the Lords and Commons in this present Parliament assembled, and by the authority of the same, That all and singular Ministers in any Cathedral or Parish Church, or other place within this Realm of *England*, *Wales*, and the Marches of the same, or other the Queens Dominions, shall from and after the Feast of the Nativity of St. *John Baptist* next coming, be bounden to say and use the Mattens, Evensong, Celebration of the Lords Supper, and administration of each of the Sacraments, and all the Common and open Prayer, in such order and form as is mentioned in the said Book so authorized by Parliament, in the said fifth

The alteration of the Book ſet forth 5. & 6. *Ed.* 6. 1.

and ſixth years of the raign of King *Edward* the ſixth, with one alteration or addition of certain Leſſons, to be uſed on every Sunday in the year, and the form of the Letany altered and corrected, and two ſentences only added in the delivery of the Sacrament to the Communicants, and none other, or otherwiſe.

The forf. of thoſe which uſe any other ſervice then the Book of Common Prayer.

And that if any manner of Parſon, Vicar, or other whatſoever Miniſter, that ought or ſhould ſing or ſay Common-prayer, mentioned in the ſaid Book, or miniſter the Sacraments, from and after the Feaſt of the Nativity of St. *John Baptiſt* next coming, refuſe to uſe the ſaid Common-prayers, or to miniſter the Sacraments in ſuch Cathedral or Pariſh-Church, or other places, as he ſhould uſe to miniſter the ſame, in ſuch order and form as they be mentioned and ſet forth in the ſaid Book, or ſhall wilfully or obſtinately, ſtanding in the ſame, uſe any other Rite, Ceremony, Order, Form, or manner of celebrating the Lords Supper, openly, or privily, or Mattens, Evenſong, adminiſtration of the Sacraments or other open Prayers than is mentioned and ſet forth in the ſaid Book, (*Open Prayer in and throughout this Act, is meant that Prayer which is for others to come unto, or hear, either in Common Churches, or private Chappels or Oratories, commonly called the Service of the Church*) or ſhall preach, declare, or ſpeak any thing in the derogation or depraving of the ſaid Book, or any thing therein contained, or of any part thereof, and ſhall be thereof lawfully convicted, according to the Laws of this Realm, by verdict of twelve men, or by his own confeſſion, or by the notorious evidence of the fact, ſhall loſe and forfeit to the Queens Highneſs, her heirs and ſucceſſors, for his firſt offence, the profit of all his Spiritual benefices or promotions, coming or ariſing in one whole year next after his conviction. And alſo that the perſon ſo convicted, ſhall for the ſame offence, ſuffer impriſonment for the ſpace of ſix moneths, without bail or mainpriſe.

The penalty for depraving the Book of Common-Prayer.

And

And if any ſuch perſon once convict of any offence concerning the premiſſes, ſhall after this firſt conviction eſtſoons offend, and be thereof in form aforeſaid lawfully convict, that then the ſame perſon ſhall for his ſecond offence ſuffer impriſonment by the ſpace of one whole year, and alſo ſhall therefore be deprived, *ipſo facto*, of all his ſpiritual promotions, and that it ſhall be lawful to all Patrons or Donors of all and ſingular the ſame Spiritual promotions, or of any of them, to preſent or collate to the ſame, as though the perſon or perſons ſo offending were dead. The penalty for the ſecond offence.

And that if any ſuch perſon and perſons, after he ſhall be twice convicted in form aforeſaid, ſhall offend againſt any of the premiſſes the third time, and ſhall be thereof in form aforeſaid lawfully convicted, that then the perſon ſo offending, and convicted the third time, ſhall be deprived *ipſo facto*, of all his Spiritual promotions, and alſo ſhall ſuffer impriſonment during his life. The penalty for the third offence.

And if the perſon that ſhall offend, and be convicted in form aforeſaid, concerning any of the premiſſes, ſhall not be benificed, nor have any ſpiritual promotion, that then the ſame perſon ſo offending and convict, ſhall for the firſt offence ſuffer impriſonment during one whole year next after his ſaid conviction, without bail or mainprize. The penalty of an offendor having no ſpiritual promotion.

And if any ſuch perſon, not having any Spiritual promotion, after his firſt conviction, ſhall eſtſoons offend in any thing concerning the premiſſes, and ſhall in form aforeſaid be thereof lawfully convicted, that then the ſame perſon ſhall for his ſecond offence ſuffer impriſonment during his life.

And it is ordained and enacted by the authority aforeſaid, That if any perſon or perſons whatſoever, after the ſaid Feaſt of the Nativity of St. *John Baptiſt* next coming, ſhall in any Enterludes, Plays, Songs, Rymes, or by other open words, declare or ſpeak any thing in the derogation, depraving or deſpiſing of the The forfeit. of them which do any thing, or ſpeak in the derogation of the Book of Common Prayer.

same Book, or of any thing therein contained, or any part thereof, or shall by open fact, deed, or by open threatnings, compel or cause, or otherwise procure or maintain any Parson, Vicar, or other Minister in any Cathedral or Parish Church, or in Chappel, or in any other place, to sing or say any Common or open Prayer, or to minister any Sacrament, otherwise, or in any other manner and form than is mentioned in the said Book, or that by any of the said means shall unlawfully interrupt, or let any Parson, Vicar, or other Minister in any Cathedral or Parish Church, Chappel, or any other place, to sing or say Common and open Prayer, or to minister the Sacraments or any of them, in such manner and form, as is mentioned in the said Book: that then every such person being thereof lawfully convicted, in form above said, shall forfeit to the Queen our Soveraign Lady, her heirs and successors, for the first offence, an hundred marks.

Causing other prayer to be said or sung. *Coke pla. fol.* 362.

The forfeiture of an hundred marks for the first offence.

And if any person or persons being once convict of any such offence, eftsoons offend against any of the last recited offences, and shall in form aforesaid, be thereof lawfully convict: That then the same person so offending and convict, shall for the second offence forfeit to the Queen our Soveraign Lady, her heirs and successors, four hundred marks.

The forfeit. of four hundred marks for the second offence.

And if any person after he in form aforesaid, shall have been twice convict of any offence concerning any of the last recited offences, shall offend the third time, and be thereof in form aboveſaid lawfully convict: That then every person so offending and convict, shall for his third offence forfeit to our Soveraign Lady the Queen, all his goods and chattels, and shall suffer imprisonment during his life.

The forfeiture for the third offence.

And if any person or persons, that for his first offence concerning the premisses, shall be convict in form aforesaid, do not pay the sum to be paid by vertue of his conviction, in such manner and form as the same ought to be paid, within six weeks next after his conviction:

The penalty if the party convicted do not pay his forfeiture within the time limited.

conviction: That then every perſon ſo convict, and ſo not paying the ſame, ſhall for the ſame firſt offence, in ſtead of the ſaid ſum, ſuffer impriſonment by the ſpace of ſix moneths, without bail or mainpriſe.

And if any perſon or perſons, that for his ſecond offence concerning the premiſſes, ſhall be convict in form aforeſaid, do not pay the ſaid ſum to be paid by vertue of his conviction and this eſtatute, in ſuch manner and form as the ſame ought to be paid, within ſix weeks next after his ſaid ſecond conviction, that then every perſon ſo convicted, and not ſo paying the ſame, ſhall for the ſame ſecond offence, in the ſtead of the ſaid ſum, ſuffer impriſonment during twelve moneths, without bail or mainpriſe.

Every perſon ſhall reſort to the Church upon the holy dayes.

And that from and after the ſaid Feaſt of the Nativity of St. *John Baptiſt* next coming, all and every perſon and perſons, inhabiting within this Realm, or any other the Queens Majeſties Dominions, ſhall diligently and faithfully, having no lawful or reaſonable excuſe to be abſent, endeavor themſelves to reſort to their Pariſh Church or Chappel accuſtomed, or upon reaſonable let thereof to ſome uſual place where Common-Prayer and ſuch ſervice of God ſhall be uſed, in ſuch time of let upon every Sunday, and other days ordained and uſed to be kept as holy dayes, and then and there to abide orderly and ſoberly, during the time of the Common-Prayer, Preaching, or other ſervice of God, there to be uſed and miniſtred, upon pain of puniſhment by the cenſures of the Church, and alſo upon pain that every perſon ſo offending, ſhall forfeit for every ſuch offence twelve pence, to be levied by the Church-Wardens of the Pariſh where ſuch offence ſhall be done, to the uſe of the poor of the ſame Pariſh, of the goods, lands and tenements of ſuch offendor by way of diſtreſs.

The forfeit, for not coming to Church. 23. *El.* 1.

And for due execution hereof, the Queens moſt excellent Majeſty, the Lords temporal, and all the Commons in this preſent Parliament aſſembled, do in Gods

name earnestly require and charge all the Archbishops, Bishops, and other Ordinaries, that they shall endeavour themselves to the uttermost of their knowledges, that the due and true execution hereof, may be had throughout their Dioceſs and Charges, as they will answer before God, for such evils and plagues wherewith Almighty God may justly punish his people for neglecting this good and wholsom Law.

The Ordinary may punish offendors by the censures of the Church.

And for their authority in this behalf, be it further enacted by the authority aforesaid, That all and singular the said Archbishops, Bishops, and all other their Officers exercising Ecclesiastical Jurisdiction, as well in place exempt, as not exempt, within their Dioceſs, shall have full power and authority by this Act, to reform, correct and punish by censures of the Church, all and singular persons which shall offend within any their Jurisdictions or Dioceſs, after the said Feast of the Nativity of Saint *John Baptist* next coming, against this Act and Statute: any other Law, Statute, Priviledge, Liberty or Provision, heretofore made, had or suffered to the contrary notwithstanding.

Which Justices may punish these offences.

And it is ordained and enacted by the authority aforesaid, that all and every Justices of *Oyer* and *Determiner*, or Justices of Assise, shall have full power and authority in every of their open and general Sessions, to enquire, hear and determine, all and all manner of offences, that shall be committed or done contrary to any Article contained in this present Act within the limits of the Commission to them directed, and to make Proceſs for the execution of the same, as they may do against any person being indicted before them of trespass, or lawfully convicted thereof.

A Bishop may joyn with the Justices to enquire of offendors.

Provided alwayes, and be it enacted by the authority aforesaid, That all and every Archbishop and Bishop, shall or may at all time and times, at his liberty and pleasure, joyn and associate himself by vertue of this Act, to the said Justices of *Oyer* and *Determiner*, or

to

to the ſaid Juſtices of Aſſiſe, at every of the ſaid open and general Seſſions to be holden in any place within his Dioceſs, for and to the enquiry, hearing and determining of the offences aforeſaid.

At whoſe charges the Books of Common-Prayer ſhall be gotten.

Provided alſo, and be it enacted by the authority aforeſaid, That the Books concerning the ſaid Services ſhall at the coſts and charges of the Pariſhoners of every Pariſh and Cathedral Church, be attained and gotten before the ſaid Feaſt of the Nativity of Saint *John Baptiſt* next following, and that all ſuch Pariſhes and Cathedral Churches, or other places, where the ſaid Books ſhall be attained and gotten before the ſaid Feaſt of the Nativity of Saint *John Baptiſt*, ſhall within three weeks next after the ſaid Books ſo attained and gotten, uſe the ſaid Service, and put the ſame in ure, according to this Act.

Within what time offendors ſhall be impeached.

And be it further enacted by the authority aforeſaid, That no perſon or perſons ſhall be at any time hereafter impeached, or otherwiſe moleſted of, or for any of the offences above-mentioned, hereafter to be committed or done contrary to this Act, unleſs he or they ſo offending be thereof indicted, at the next general Seſſions to be holden before any ſuch Juſtices of *Oyer* and *Determiner*, or Juſtices of Aſſiſe, next after any offence committed or done contrary to the tenour of this Act.

Tryal of Peers.

Provided alwayes, and be it ordained and enacted by the authority aforeſaid, That all and ſingular Lords of the Parliament, for the third offence above-mentioned, ſhall be tryed by their Peers.

Chief Officers of Cities and Boroughs ſhall enquire of offendors.

Provided alſo, and be it ordained and enacted by the authority aforeſaid, That the Maior of *London*, and all other Maiors, Bailiffs, and other head Officers, of all and ſingular Cities, Boroughs, and Towns corporate, within this Realm, *Wales*, and the Marches of the ſame, to the which Juſtices of Aſsiſe do not commonly repair, ſhall have full power and authority by vertue of this Act, to enquire, hear, and determine the offen-

ces

ces above-ſaid, and every of them, yearly within fifteen dayes after the Feaſt of *Eaſter*, and Saint *Michael* the Archangel, in like manner and form as Juſtices of Aſſiſe, and *Oyer* and *Determiner* may do.

The Ordinaries juriſdiction in theſe caſes.

Provided alwayes, and be it ordained and enacted by the authority aforeſaid, That all and ſingular Archbiſhops and Biſhops, and every of their Chancellors, Commiſſaries, Arch-deacons and other Ordinaries, having any peculiar Eccleſiaſtical Juriſdicton, ſhall have full power and authority by vertue of this Act, as well to enquire in their viſitation, Synods, and elſewhere within their juriſdiction at any other time and place, to take accuſations, and informations, of all and every the things above-mentioned, done, committed, or perpetrated, within the limits of their juriſdictions and authority, and to puniſh the ſame by admonition, excommunication, ſequeſtration or deprivation, and other cenſures and proceſs, in like form as heretofore hath been uſed in like caſes, by the Queens Eccleſiaſtical Laws.

None ſhall be puniſhed above once for one offence.

Provided alwayes, and be it enacted, That whatſoever perſons offending in the premiſſes, ſhall for their offences, firſt receive puniſhment of the Ordinary, having a Teſtimonial thereof under the ſaid Ordinaries ſeal, ſhall not for the ſame offence eftſoons be convicted before the Juſtices. And likewiſe receiving for the ſaid firſt offence, puniſhment by the Juſtices, ſhall not for the ſame offence eftſoons receive puniſhment of the Ordinary: any thing contained in this Act to the contrary notwithſtanding.

Ornaments of the Church and Miniſters.

Provided alwayes, and be it enacted, that ſuch ornaments of the Church, and of the Miniſters thereof, ſhall be retained and be in uſe, as was in this Church of *England*, by authority of Parliament, in the ſecond year of the raign of King *Edward* the ſixth, until other order ſhall be therein taken by the authority of the Queens Majeſty, with the advice of her Commiſſioners appointed and authoriſed under the great Seal of *England*

England for causes Ecclesiastical, or of the Metropolitane of this Realm.

And also that if there shall happen any contempt or irreverence to be used in the Ceremonies or Rites of the Church, by the mis-using of the orders appointed in this Book, the Queens Majesty may by the like advice of the said Commissioners, or Metropolitane, ordain and publish such further Ceremonies or Rites, as may be most for the advancement of Gods glory, the edifying of his Church, and the due reverence of Christs holy Mysteries and Sacraments.

And be it further enacted by the authority aforesaid, that all Laws, Statutes, and Ordinances, wherein or whereby any other Service, administration of Sacraments, or Common Prayer, is limited, established, or set forth to be used within this Realm, or any other the Queens Dominions or Countries, shall from henceforth be utterly void and of none effect. *Coke pla. fol.* 352.

All Laws and Ordinances made for other service, shall be void.

Anno tricesimo quinto Reginę *Elizabethæ.*

CAP. I.

Punishment of persons obstinately refusing to come to Church, and perswading others to impugne the Queens authority in Ecclesiastical causes, &c.

FOr the preventing and avoiding of such great inconveniences and perils as might happen and grow by the wicked and dangerous practises of seditious Sectaries and disloyal persons: Be it enacted by the Queens most excellent Majesty, and by the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the authority of the same,

That if any perſon or perſons above the age of ſixteen year, which ſhall obſtinately refuſe to repair to ſome Church, Chappel, or uſual place of Common Prayer to hear divine Service, eſtabliſhed by her Majeſties Laws and Statutes in that behalf made, and ſhall forbear to do the ſame by the ſpace of a Moneth next after, without any lawful cauſe, ſhall at any time after xl. dayes next after the end of this Seſſion of Parliament, by Printing, Writing, or expreſs words or ſpeeches adviſedly or purpoſely practiſe, or go about to move or perſwade any of her Majeſties ſubjects, or any other within her Highneſs Realms or Dominions, to deny, withſtand, and impugne her Majeſties power and authority in caſes Eccleſiaſtical, united and annexed to the Imperial Crown of this Realm, or to that end or purpoſe ſhall adviſedly and maliciouſly move or perſwade any other perſon whatſoever, to forbear or abſtain from coming to Church to hear divine Service, or to receive the Communion according to her Majeſties Laws and Statutes aforeſaid, or to come to, or to be preſent at any unlawful aſſemblies, conventicles, or meetings, under colour or pretence of any exerciſe of Religion, contrary to her Majeſties ſaid Laws and Statutes. Or if any perſon or perſons which ſhall obſtinately refuſe to repair to ſome Church, Chappel, or uſual place of Common Prayer, and ſhall forbear by the ſpace of a Moneth to hear divine Service, as is aforeſaid, ſhall after the ſaid forty dayes, either of him, or themſelves, or by the motion, perſwaſion, inticement, or allurement of any other, willingly joyn in, or be preſent at any ſuch aſſemblies, conventicles or meetings, under colour or pretence of any ſuch exerciſe of Religion, contrary to the Laws and Statutes of this Realm, as is aforeſaid, That then every ſuch perſon ſo offending, as aforeſaid, and being thereof lawfully convicted, ſhall be committed to priſon, there to remain without bail or mainpriſe, until they ſhall conform and yield

The penalty of a Recuſant perſwading others to impugne the Queens Eccleſiaſtical Laws.

The penalty for being preſent at unlawful conventicles for Religion.

yield themſelves to come to ſome Church, Chappel, or uſual place of Common Prayer, and hear divine Service, according to her Majeſties Laws and Statutes aforeſaid, and to make ſuch open ſubmiſſion and declaration of their ſaid conformity, as hereafter in this Act is declared and appointed.

An offendor not conforming himſelf, ſhall abjure the Realm.

Provided alwayes, and be it further enacted by the authority aforeſaid, That if any ſuch perſon or perſons which ſhall offend againſt this Act, as aforeſaid, ſhall not within three Moneths next after they ſhall be convicted for their ſaid offence, conform themſelves to the obedience of the Laws and Statutes of this Realm in coming to the Church to hear divine Service, and in making ſuch publick confeſſion and ſubmiſſion, as hereafter in this Act is appointed and expreſſed, being thereunto required by the Biſhop of the Dioceſs, or any Juſtice of the Peace of the County where the ſame perſon ſhall happen to be, or by the Miniſter or Curate of the Pariſh, that in every ſuch caſe, every ſuch offendor, being thereunto warned or required by any Juſtice of the Peace of the ſame County where ſuch offendors ſhall then be, ſhall upon his and their corporal Oath before the Juſtices of the Peace in the open Quarter Seſſions of the ſame County, or at the Aſſiſes, and Gaol delivery, of the ſame County, before the Juſtices of the ſame Aſſiſes, and Gaol delivery, abjure this Realm of *England*, and all other the Queens Majeſties Dominions for ever, unleſs her Majeſty ſhall licence the party to return: And thereupon ſhall depart out of this Realm at ſuch Haven or Port, and within ſuch time as ſhall in that be- [illegible] aſsigned and appointed by the ſaid Juſtices be- [illegible] om ſuch abjuration ſhall be made, unleſs the [illegible] or be letted or ſtayed by ſuch lawful and [illegible] ns or cauſes, as by the common Laws of [illegible] rmitted and allowed in caſes of Abju- [illegible] And in ſuch caſes of let or ſtay, then

within ſuch reaſonable and convenient time after as the common Law requireth in caſe of abjuration for felony, as is aforeſaid. And that the Juſtices of Peace before whom any ſuch abjuration ſhall happen to be made, as is aforeſaid, ſhall cauſe the ſame preſently to be entred of record before them, and ſhall certifie the ſame to the Juſtices of Aſsiſes and Gaol delivery of the County at the next Aſsiſes or Gaol delivery to be holden in the ſame County.

The puniſhment for refuſing to abjure, not departing or returning without licence.

And if any ſuch offendor which by the tenor and intent of this Act is to be abjured, as is aforeſaid, ſhall refuſe to make abjuration, as is aforeſaid, or after ſuch abjuration made, ſhall not go to ſuch Haven, and within ſuch time as is before appointed, and from thence depart out of this Realm, according to this preſent Act, or after ſuch his departure ſhall return or come again into any her Majeſties Realms or Dominions, without her Majeſties ſpecial licence in that behalf firſt had and obtained, That then in every ſuch caſe the perſon ſo offending ſhall be adjudged a felon, and ſhal ſuffer as in caſe of felony, without benefit of Clergy.

An offendor ſhall be diſcharged upon his open ſubmiſſion.

And furthermore be it enacted by the authority of this preſent Parliament, That if any perſon or perſons that ſhall at any time hereafter offend againſt this Act, ſhall before he or they be ſo warned or required to make abjuration according to the tenor of this Act, repair to ſome Pariſh Church on ſome Sunday or other Feſtival day, and then and there hear divine Service, and at Service time, before the Sermon or reading of the Goſpel make publick and open ſubmiſsion and declaration of his and their conformity to her Majeſ[illegible] Laws and Statutes, as hereafter in this Act is de[illegible] and appointed, That then the ſame offendor ſ[illegible] upon be clearly diſcharged of and from [illegible] the penalties and puniſhments inflicted [illegible] this Act for any of the offences afor[illegible] ſubmiſsion to be as hereafter fol[illegible] ſay,

I A. B. do humbly confesse and acknowledge that I have grievously offended God, in contemning her Majesties godly and lawful government and authority, by absenting my self from Church, and from hearing divine Service, contrary to the godly Laws and Statutes of this Realm, and in using and frequenting disordered and unlawful conventicles and assemblies, under pretence and colour of exercise of Religion. And I am heartily sorry for the same, and do acknowledge and testifie in my conscience, that no other person hath, or ought to have any power or authority over her Majesty. And I do promise and protest without any dissimulation, or any colour or means of any dispensation, That from henceforth I will from time to time obey and perform her Majesties Laws and Statutes, in repairing to the Church, and hearing divine Service, and do my uttermost endeavour to maintain and defend the same.

The form of the submission.

And that every Minister or Curate of every Parish where such submission and declaration of conformity shall hereafter be so made by any such offendor as aforesaid, shall presently enter the same into a book to be kept in every Parish for that purpose, and within ten dayes next follwing, shall certifie the same in writing to the Bishop of the same Dioces.

The Minister shall enter the submission into a Book.

Provided nevertheless, that if any such offendor after such submision made, as is aforesaid, shall afterwards fall into relapse, or eftsoons obstinately refuse to repair to some Church, Chappel, or usual place of Common Prayer to hear divine Service, and shall forbear the same, as aforesaid, or shall come or be pre- ny such assemblies, conventicles or meetings, r or pretence of any exercise of Religion, her Majesties Laws and Statutes: That offendor shall lose all such benefit as he wise by vertue of this Act have or f their said submision, and shall emain in such plight, condition,

The offendor submitting, falleth into a relapse.

and degree to all intents, as though ſuch ſubmiſsion had never been made.

The Queens remedy to recover forfeitures, &c. 23. El. 1.

And for the more ſpeedy levying and recovering for and by the Queens Majeſty of all and ſingular the pains, duties, forfeitures, and payments which at any time hereafter ſhall accrue, grow, or be payable by vertue of this Act, or of the Statute made in the three and twentiteh year of her Majeſties raign concerning Recuſants: Be it enacted by the authority aforeſaid, that all and every the ſaid pains, duties, forfeitures and payments ſhall and may be recovered and levied to her Majeſties uſe by action of debt, bill, plaint, information or otherwiſe in any of the Courts commonly called the Kings Bench, Common Pleas, or Exchequer, in ſuch ſort, and in all reſpects as by the ordinary courſe of the common Laws of this Realm, any other debt due by any ſuch perſon in any other caſe, ſhould or may be recovered or levyed, wherein no eſſoyn, protection, or wager of Law ſhall be admitted or allowed.

In what manner one part of the penalties ſhall be employed. 29. El. 6.

Provided alwayes, that the third part of the penalties to be had or received by vertue of this Act, ſhall be employed and beſtowed to ſuch good and charitable uſes, and in ſuch manner and form as is limited and appointed in the Statute made in the 28. year of her Majeſties raign touching Recuſants. *Coke lib.* 11. *fol.* 57.

Popiſh Recuſants, *feme covert.*

Provided alſo, that no Popiſh Recuſant or *feme covert*, ſhall be compelled or bound to abjure by vertue of this Act.

The forfeiture of him which abjureth, or refuſeth to abjure. The wife ſhall loſe no Dower, nor the heir any Land for theſe offences.

Provided alſo, that every perſon that ſhall a[illegible] force of this Act, or refuſe to abjure, being [illegible] required as aforeſaid, ſhall forfeit and lo[illegible] jeſty all his goods and chattels for eve[illegible] ther loſe all his lands, tenements, a[illegible] for and during the life only of ſuc[illegible] longer: And that the wife of a[illegible]

of this Act, ſhall not loſe her Dower: Nor that any corruption of blood ſhall grow or be by reaſon of any offence mentioned in this Act: but that the heir of every ſuch offendor by force of this Act, ſhall and may after the death of every offendor have and enjoy the lands, tenements, and hereditaments of ſuch offendor, as if this Act had not been made. And this Act to continue no longer then to the end of the next Seſſion of Parliament. 3. *Car.* 4. *Cont.*

FINIS.